## Washington, Saturday, May 29, 1943

## The President

### **EXECUTIVE ORDER 9345**

INSPECTION OF INCOME, EXCESS-PROFITS, AND DECLARED VALUE EXCESS-PROFITS TAX RETURNS BY THE NAVAL AFFAIRS INVESTIGATING COMMITTEE, HOUSE OF REPRESENTATIVES

By virtue of the authority vested in me by sections 55 (a), 503, 603 and 729 (a) of the Internal Revenue Code (53 Stat. 1, 29, 111; 54 Stat. 974, 989), it is hereby ordered that income, excessprofits, and declared value excess-profits tax returns made under the Internal Revenue Code, for the year 1939 and subsequent years, shall be open to inspection by the Naval Affairs Investigating Committee, House of Representatives, or any duly authorized subcommittee thereof, for the purpose of carrying out the provisions of House Resolution 30, passed January 21, 1943 (Seventy-eighth Congress, first session); such inspection to be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in the Treasury decision relating to the inspection of returns by that committee, approved by me this date.

This order shall be published in the

FEDERAL REGISTER.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE, May 27, 1943.

[F. R. Doc. 43-8652; Filed, May 28, 1943; 12:00 m.]

## **EXECUTIVE ORDER 9346**

FURTHER ALTENDING EXECUTIVE ORDER NO. 8802 BY ESTABLISHING A NEW COLLUITTEE ON FAIR ELIPLOYLIENT PRACTICE AND DE-FINING ITS POWERS AND DUTIES

In order to establish a new Committee on Fair Employment Practice, to promote the fullest utilization of all available manpower, and to eliminate discriminatory employment practices, Executive Order No. 8802 of June 25, 1941, as amended by Executive Order No. 8823 of July 18, 1941,2 is hereby further amended to read as follows:

"WHEREAS the successful prosecution of the war demands the maximum employment of all available workers regard-less of race, creed, color, or national origin; and

"WHEREAS it is the policy of the United States to encourage full participation in the war effort by all persons in the United States regardless of race, creed, color, or national origin, in the firm belief that the democratic way of life within the nation can be defended successfully only with the help and support of all groups within its borders; and

"WHEREAS there is evidence that available and needed workers have been barred from employment in industries engaged in war production colely by reason of their race, creed, color, or national origin, to the detriment of the prosecution of the war, the workers'

morale, and national unity:

"NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States and Commander in Chief of the Army and Navy, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of any person in war industries or in Government by reason of race, creed, color, or national origin, and I do hereby declare that it is the duty of all employers, including the several Federal departments and agencies, and all labor organizations, in furtherance of this policy and of this Order, to eliminate discrimination in regard to hire, tenure, terms or conditions of employment, or union membership because of race, creed, color, or national origin.

"It is hereby ordered as follows:

"1. All contracting agencies of the Government of the United States shall include in all contracts hereafter negotiated or renegotiated by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin and requiring him to include a similar provision in all subcontracts.

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<sup>26</sup> F.R. 3577.



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"2. All departments and agencies of the Government of the United States concerned with vocational and training programs for war production shall take all measures appropriate to assure that such programs are administered without discrimination because of race, creed, color, or national origin.

"3. There is hereby established in the Office for Emergency Management of the Executive Office of the President a Committee on Fair Employment Practice, hereinafter referred to as the Committee, which shall consist of a Chairman and not more than six other members to be appointed by the President. The Chairman shall receive such salary as shall be fixed by the President not exceeding \$10,000 per year. The other members of the Committee shall receive necessary traveling expenses and, unless their compensation is otherwise prescribed by the President, a per diem allowance not exceeding twenty-five dollars per day and subsistence expenses on such days as they are actually engaged in the performance of duties pursuant to this Order.

"4. The Committee shall formulate policies to achieve the purposes of this Order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this Order. The Committee shall also recommend to the Chairman of the War Manpower \*Commission appropriate measures for,

bringing about the full utilization and training of manpower in and for war production without discrimination because of race, creed, color, or national origin.

"5. The Committee shall receive and investigate complaints of discrimination forbidden by this Order. It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

6. Upon the appointment of the Committee and the designation of its Chairman, the Fair Employment Practice Committee established by Executive Order No. 8802 of June 25, 1941, hereinafter referred to as the old Committee, shall cease to exist. All records and property of the old Committee and such unexpended balances of allocations or other funds available for its use as the Director of the Bureau of the Budget shall determine shall be transferred to the Committee. The Committee shall assume jurisdiction over all complaints and matters pending before the old Committee and shall conduct such investigations and hearings as may be necessary in the performance of its duties under

this Order.
"7. Within the limits of the funds which may be made available for that purpose, the Chairman shall appoint and fix the compensation of such personnel and make provision for such supplies, facilities, and services as may be necessary to carry out this Order. The Committee may utilize the services and facilities of other Federal departments and agencies and such voluntary and uncompensated services as may from time to time be needed. The Committee may accept the services of State and local authorities and officials, and may perform the functions and duties and exercise the powers conferred upon it by this Order through such officials and agencies and in such manner as it may determine.

"8. The Committee shall have the power to promulgate such rules and regulations as may be appropriate or necessary to carry out the provisions of this Order.

"9. The provisions of any other pertinent Executive order inconsistent with this Order are hereby superseded."

Franklin D Roosevelt

THE WHITE HOUSE, May 27, 1943.

[F. R. Doc. 43-8651; Filed, May 28, 1943; 12:00 m.]

## Regulations

TITLE 6-AGRICULTURAL CREDIT

Chapter . I-Farm Credit Administration

PART 12-FEDERAL FARM MORTGAGE CORPORATION

## COMMISSIONER LOANS

Section 12.150 of Title 6. Code of Federal Regulations, is amended to read as follows:

§ 12.150 Computing amount loanable to one borrower. No Commissioner loan or loans shall be made to any one farmer

or on any one farm for more than an aggregate total of \$7,500. For the purpose of computing the maximum amount loanable by the Commissioner to owners of undivided interests, there shall be charged against each, such portion of the loan on the jointly-owned property as his undivided interest in the property bears to the entire title, except that the borrowing capacity of such an owner need not be charged with any amount which one or more of his coowners who are "farmers" within the statutory definition consent to have charged against the unused portion of their borrowing

(Secs. 32, 33, 48 Stat. 48, 49, as amended; 12 U.S.C. 1016, 1017)

**ISEAL** 

W. E. RHEA, Land Bank Commissioner.

[F. R. Doc. 43-8625; Filed, May 28, 1943; 9:54 a. m.]

#### TITLE 7-AGRICULTURE

Chapter XI-War Food Administration IFDO 49-21

PART 1405—FRUITS AND VEGETABLES RESTRICTIONS RELATIVE TO IRISH POTATOES

Pursuant to the authority vested in . me by Food Distribution Order No. 49. dated April 13, 1943, as amended, effective pursuant to Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, and in order to effectuate the purposes of such orders, It is hereby ordered, As follows:

§ 1405.8 Extension of territorial scope. (a) The territorial scope of Food Distribution Order No. 49, as amended, is hereby extended to include the following areas, effective on the dates indicated for each area:

(1) On the effective date of this order the area comprising the counties of Nassau, Baker, Columbia, Suwannee, Gilchrist, Levy, Bradford, Alachua, Marion, Putnam, Clay, Duval, St. Johns, Flagler, Volusia, and Lake in the State of Florida;

(2) On the effective date of this order the area comprising the counties of Bulloch, Effingham, Bryan, Chatham, and Liberty in the State of Georgia;

(3) Effective on the 29th day of May 1943, the area comprising the counties of Dillon, Marion, Florence, Horry, Sumter, Clarendon, Williamsburg, Georgetown, Orangeburg, Berkeley, Dorchester, Charleston, Colleton, Allendale, Hampton, Jasper, and Beaufort in the State of

South Carolina;

(4) Effective on the 7th day of June 1943, the area comprising the counties of Northampton, Halifax, Martin, Pitt, Greene, Wayne, Johnston, Harnett, Cumberland, Robeson, Hertford, Gates, Bertie, Washington, Beaufort, Craven, Lenoir, Duplin, Sampson, Bladen, Columbus, Brunswick, Camden, Currituck, Pasquotank, Perquimans, Chowan, Tyrrell, Dare, Hyde, Pamlico, Jones, Carteret, Onslow, Pender, and New Hanover in the State of North Carolina; and

(5) Effective on the 14th day of June 1943, the area comprising the counties of Accomac, Northampton, Warwick, York, Elizabeth City, Princess Anne, Norfolk, Nansemond, Isle of Wight, James City, Gloucester, Mathews, Middlesex, King-William, and King and Queen in the State of Virginia.

(b) The provisions and requirements of Food Distribution Order No. 49, as amended, which have heretofore been applicable to the State of Maine, the counties of Baldwin, Mobile, and Escambia in the State of Alabama, and the counties of Escambia and Santa Rosa in the State of Florida, shall, in accordance with the provisions hereof, be applicable to the areas described in (a) hereof in addition to the areas already included under Food Distribution Order No. 49, as amended, and Director Food Distribution Order No. 49.1.

(c) This order shall become effective at 12:01 a.m., EWT, May 29, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; F.D.O. 49, 8 F.R. 4859, 5700; F.D.O. 49-1, 8 F.R. 6573)

Issued this 28th day of May 1943. Roy F. Hendardison, [SEAL] Director of Food Distribution.

[F. R. Doc. 43-8639; Filed, May 23, 1843; 11:16 a. m.l

#### [FDO 27-1]

PART 1410—LIVESTOCK AND MEATS RECORDS AND REFORTS OF SLAUGHTER

Pursuant to the authority vested in me by Food Distribution Order 27 (8 F.R. 2785, 4227, 5700), issued and amended pursuant to Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, and to effectuate the purposes of such orders, It is hereby ordered, As follows:

§ 1410.9 Records and reports of slaughter—(a) Butchers. Each butcher subject to the provisions of Food Distribution Order 27, as amended, who owns and slaughters or who has slaughtered for him during any month livestock with a total live weight of more than 4,000 pounds, shall submit to the Director a report as described herein covering such month's operations. The first report shall cover the month of June, 1943. Reports shall be mailed not later than five days after the end of each month, and shall contain the information with respect to livestock slaughtered required by and be in accordance with Form FDO 27-7, attached hereto as Exhibit A.3

(b) Local slaughterers. (1) Each local slaughterer subject to the provisions of Food Distribution Order 27, as amended, shall submit to the Director a report as described herein covering each month's operations. Such reports shall be mailed not later than ten days after the end of each month, and shall contain

the information required by and be in accordance with Form FDO 27-5, attached hereto as Exhibit R.

(2) Each local slaughterer shall keep a record of the information furnished under (b) (1) hereof, together with all data necessary to support such information, for a period of two years.

(c) Bureau of Budget Approval. The report and record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) Communications to the War Food Administration. All reports required to be filed hereunder and all requests for report forms shall, unless otherwise directed, be addressed to the regional office of the Food Distribution Administration, War Food Administration, for the region in which the person reporting is located.

(e) Effective date. This order shall become effective on the 29th day of May

(E.O. 9200, 7 F.R. 10179; E.O. 9322, 8 F.R. 3897; E.O. 9334, 8 F.R. 5423; F.D.O. 27, 8 F.R. 2785, 4227, 5760)

[SEAL] ROY F. HENDRICKSON, Director of Food Distribution.

[F. R. Doc. 43-8532; Filed, May 27, 1343; 11:37 s. m.]

#### [FDO 27-21

PART 1410-LIVESTOCK AND MEATS QUOTAS FOR LOCAL SLAUGHTEREPS

Pursuant to the authority vested in me by Food Distribution Order 27 (8 F.R. 2785, 4227, 5700), issued and amended pursuant to Executive Order No. 9289. dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, and to effectuate the purposes of such orders, It is hereby ordered, As follows:

§ 1410.10 Quotas for local slaughter-crc—(a) Beef quota. The beef quota for each local slaughterer for the month of June 1943, and for succeeding months, until changed by the Director, shall be:

(1) Eighty percent of the quantity of beef produced by his slaughter of cattle in the corresponding month of 1941, or

(2) If he did not slaughter cattle during the corresponding month of 1941, fifty percent of his average monthly slaughter of cattle during the months in which he slaughtered from January 1, 1942 to September 30, 1942, or

(3) If he began slaughtering operations after September 30, 1942, fifty percent of the average monthly deliveries of beef made by him which were authorized under Meat Restriction Order No. 1. based upon the number of months in which he was so authorized to make deliveries during the period from Octo-

bar 1, 1942, to March 31, 1943.
(b) Swine quotas. The swine quota for each local slaughterer for the month of June 1943, and for succeeding months, until changed by the Director, shall be:

(1) Eighty percent of the total live weight of swine which he slaughtered in the corresponding month of 1941, or

Form filed as part of the original decu-

(2) If he did not slaughter in the corresponding month of 1941, eighty percent of the amount established as his permanent quota base for such month, or in the absence of a permanent quota base, eighty percent of the amount of swine established for such month in a temporary quota base which has heretofore been issued to him.

(c) Veal, lamb, and mutton quotas. The quota of each local slaughterer for veal, lamb and mutton for the month of June 1943, and for succeeding months, until changed by the Director, shall be:

(1) Eighty percent of the quantity of meat of such type produced by his slaughter of calves, lambs and sheep, respectively, in the corresponding month of 1941, or

(2) If he did not slaughter in the corresponding month of 1941, eighty percent of the amount of such type of meat established as his permanent quota base for such month, or in the absence of a permanent quota base, eighty percent of the amount of such type of meat established for such month in a temporary quota base which has heretofore been issued to him.

(d) Effective date. This order shall become effective on June 1, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; F.D.O. 27, 8 F.R. 2785, 4227, 5700)

[SEAL] ROY F. HENDRICKSON,

Director of Food Distribution.

[F. R. Doc. 43-8583; Filed, May 27, 1943; 11:37 a. m.]

## TITLE 10-ARMY: WAR DEPARTMENT

Chapter VI—Organized Reserves
PART 64—ENLISTED RESERVE CORPS
ENLISTMENT

a. The suspension notice pertaining to § 64.5, published in the Federal Register October 11, 1941, January 13, February 5, March 21, April 11, June 23, July 29, and October 23, 1942<sup>1</sup>, concerning suspension of enlistments and reenlistments in the Enlisted Reserve Corps with certain exceptions, having become obsolete is hereby rescinded.

b. No enlistments in the Enlisted Reserve Corps are now authorized for men 18 years of age or older.

c. The enlistment in the Enlisted Reserve Corps of any man who has attained his seventeenth birthday but who has not reached his eighteenth birthday is authorized, provided he is found otherwise qualified for general military service and provided the consent of his parents or guardian is obtained. Enlistments will be made in the following categories only:

1. Enlisted Reserve Corps, unassigned.

2. Air Corps Enlisted Reserve for those who qualify for aviation cadet training under current standards.

d. Any man so enlisted will not be ordered to active duty until he has attained his eighteenth birthday but in

every instance will be ordered to active duty within six months after reaching his eighteenth birthday. (39 Stat. 195; 41 Stat. 780; 44 Stat. 705; 10 U.S.C. 421; 423-427) [Letter SPX 342.1 E.R.C. (12-30-42) PR-I-A]

[SEAL] H. B. LEWIS, '
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 43-8627; Filed, May 28, 1943; 9:54 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission
[Docket No. 4870]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL ADMINISTRATORS, ET AL.

§ 3.55 Furnishing means and instrumentalities of misrepresentation or deception: § 3.69 (a) Misrepresenting oneself and goods-Business status, advantages or connections-Connections and arrangements with others: § 3.69 (a) Misrepresenting oneself and goods-Business status, advantages or connections—Nature, in general: § 3.72 (n10) Offering deceptive inducements to purchase or deal-Terms and conditions: § 3.96 (b) Using misleading name—Vendor-Nature, in general. In connection with offer, etc., in commerce, of form letters and questionnaires of respondent Trainor, trading as National Administrators, etc., or of any other similar printed or written material, and on the part of said respondent Trainor, his agents, etc., and among other things, as in order set forth, (1) using the words "National Administrators", or any other word or words of similar import, to designate, describe, or refer to respondent's business; or otherwise representing, directly or by implication, that respondent acts in the capacity of an administrator of estates of decedents, or that respondent's business bears any other relation to such estates; (2) representing, directly or by implication, that any funds or other property are being held by respondent for persons concerning whom information is sought through respondent's letters, questionnaires, or other material; (3) representing, directly or by implication, that the information sought through respondent's letters, questionnaires, or other material is for the purpose of determining whether the person concerning whom such information is sought is entitled to receive funds or any other property from the estate of a decedent; or (4) using, or placing in the hands of others for use, form letters, questionnaires, or other material which represent, directly or by implication, that respondent's business is other than that of obtaining information for use in the collection of debts, or that the information sought through such letters, questionnaires, or other material is for any purpose other than for use in the collection of debts; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and

desist order, National Administrators, et al., Docket 4870, May 8, 1943]

§ 3.7 Aiding, assisting and abetting unfair or unlawful act or practice: § 3.69 (a) Misrepresenting oneself and goods-Business status, advantages or connections-Connections and arrangements with others: § 3.69 (a) Misrepresenting oneself and goods-Business status, advantages or connections-Nature, in general: § 3.72 (n10) Offering de-ceptive inducements to purchase or deal.—Terms and conditions. In connection with offer, etc., in commerce, of respondents' merchandise, including the collection or attempted collection of the purchase price thereof, and on the part of respondents Chicago Mail Order Co., respondent Spiegel, Inc., nine individuals, officers, as the case may be, of said two corporations, and said corporations' and individuals' agents, etc., and among other things, as in order set forth, (1) using any form letters, questionnaires, or any other printed or written material which contain any representation prohibited in that part of order directed against respondent Trainor, trading as National Administrators, in connection with offer, etc., of his form letters and questionnaires to secure, by subterfuge, information for use in the collection of debts; or (2) using, in connection with the collection or attempted collection of the purchase price of merchandise, any form letters, questionnaires, cards, or any other printed or written material which represent, directly or by implication, that the information sought through such means is for any purpose other than for use in the collection of debts; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Administrators, et al., Docket 4870, May 8, 1943]

§ 3.7 Aiding, assisting and abetting unfair or unlawful act or practice: § 3.69 (a) Misrepresenting oneself and goods-Business status, advantages or connections—Connections and arrangements with others: § 3.69 (a) Misrepresenting oneself and goods-Business status, advantages or connections-Nature, in general: §3.72 (n10) Offering deceptive inducements to purchase or deal-Terms and conditions. In connection with the carrying on of respondents' collection business in commerce, and on the part of respondents Janssen and Hill, trading as Consumer Distribution Consultants, etc., their agents, etc., and among other things, as in order set forth, (1) using any form letters, questionnaires, or any other printed or written material which contain any representations prohibited in that part of order directed against respondent Trainor, trading as National Administrators, in connection with offer, etc., of his form letters and questionnaires to secure, by subterfuge, information for use in the collection of debts; or (2) using in connection with the collection or attempted collection of debts, any form letters, questionnaires, cards, or any other printed or written material which represent, directly or by implication, that the information sought through such means is for any purpose other than for

<sup>&</sup>lt;sup>1</sup>6 F.R. 5165; 7 F.R. 213, 738, 2183, 2755, 4636, 5807, 8541.

use in the collection of debts; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, National Administrators, et al., Docket 4870, May 8,

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of May, A. D. 1943.

In the Matter of Dan Trainor, Trading Under the Name National Administrators, John A. Janssen and Lloyd L. Hill, Individually and Trading Under the Name Consumer Distribution Consultants, Chicago Mail Order Company, a Corporation, E. L. Schnadig (Referred to in the Complaint as W. L. Schnadig) and Ralph L. Arnheim, Individually and as Officers of Chicago Mail Order-Company, Spiegel, Inc., a Corporation, and Modie J. Spiegel, Frederick W. Spiegel, Earl D. Weil, Edward L. Swikard, H. G. Meinig, Bernadette Saindon, and Walter A. Gatzert, Individually and as Officers of Spiegel, Inc.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answers of respondents, in which answers respondents admit all the material allegations of fact set forth in the complaint and waive all intervening procedure and further hearing as to the facts, and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

1. It is ordered, That respondent Dan Trainor, individually and trading under the name National Administrators, or trading under any other name, and his agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of his form letters and questionnaires, or any other printed or written material of a substantially similar nature, do forthwith cease and desist from:

(a) Using the words "National Administrators," or any other word or words of similar import, to designate, describe, or refer to respondent's business; or otherwise representing, directly or by implication, that respondent acts in the capacity of an administrator of estates of decedents, or that respondent's business bears any other relation to such estates.

(b) Representing, directly or by implication, that any funds or other property are being held by respondent for persons concerning whom information is sought through respondent's letters, questionnaires, or other material.

(c) Representing, directly or by implication, that the information sought through respondent's letters, questionnaires, or other material is for the purpose of determining whether the person concerning whom such information is sought is entitled to receive funds or any other property from the estate of a decedent.

(d) Using, or placing in the hands of others for use, form letters, questionnaires, or other material which represent, directly or by implication, that respondent's business is other than that of obtaining information for use in the collection of debts, or that the information sought through such letters, questionnaires, or other material is for any purpose other than for use in the collection of debts.

2. It is further ordered, That respondents Chicago Mail Order Company, a corporation, and its officers; E. L. Schnadig and Ralph L. Arnheim, individually and as officers of Chicago Mail Order Company; Spiegel, Inc., a corporation, and its officers; Modie J. Spiegel, Frederick W. Spiegel, Earl D. Well, Edward L. Swikard, H. G. Meinig, Bernadette Saindon, and Walter A. Gatzert, individually and as officers of Spiegel, Inc.; and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the sale and distribution of respondents' merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, including the collection or attempted collection of the purchase price of such merchandise, do forthwith cease and desist from:

(a) Using any form letters, questionnaires, or any other printed or written material which contain any representation prohibited in paragraph 1 hereof.

(b) Using, in connection with the collection or attempted collection of the purchase price of merchandise, any form letters, questionnaires, cards, or any other printed or written material which represent, directly or by implication, that the information sought through such means is for any purpose other than for use in the collection of debts.

3. It is further ordered, That respondents John A. Janssen and Lloyd L. Hill, individually and trading as Consumer Distribution Consultants, or trading under any other name, and their agents, representatives and employees, directly or through any corporate or other device, in connection with the carrying on of respondents' collection business in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(a) Using any form letters, questionnaires, or any other printed or written material which contain any representations prohibited in paragraph 1 hereof.

(b) Using, in connection with the collection or attempted collection of debts, any form letters, questionnaires, cards, or any other printed or written material which represent, directly or by implication, that the information sought through such means is for any purpose other than for use in the collection of debts.

It is further ordered, That all of the respondents named herein shall, within sixty (69) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

Ons B. Johnson, Secretary.

[P. R. Doc. 43-8049; Filed, May 28, 1943; 11:49 a. m.]

#### TITLE 26—INTERNAL REVENUE

Chapter I-Bureau of Internal Revenue Subchanter A-Income and Excess-Profits Taxes IT.D. 52671

PART 30-REGULATIONS UNDER THE EXCESS-PROFITS TAX ACT OF 1940

EXCESS PROZITS CREDIT EASED ON DIVESTED CAPITAL, EQUITY INVESTED CAPITAL, AND EOREOWED CAPITAL

In order to conform Regulations 109 [Part 30, Title 26, Code of Federal Regulations, 1941 Supp. I to sections 205 (d), (e), and (f), 217, 218, 219, and 230 (b), (c), and (d), of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 30.714-1 the following:

SEC. 217. Invested Capital Cheber. (Revenue Act of 1942, Title II.)

Section 714 is amended to read as follows:

Sec. 714. Excess fromes chedit—based on HIVESTED CAPITAL.

The caccas profits credit, for any taxable year, computed under this section, shall be the amount chown in the following table:

If the invested capital for the taxable year, determined under section 715, is:

Not over £5,000,000\_\_\_\_ Over \$5,000,000, but not over \$10,000,000\_ Over 810,000,000, but not over \$200,-000,000.

Over \$200,000,000\_\_\_\_\_

The credit shall be: 8% of the invested capital. 6499,000, plus 7% of the excess over 95,000,000.

0759,009, plus 6% of the excess over \$10,-009,009.

812,150,000, plus 5% of the excess over 0200,000,000."

SEC. 201. TAXABLE YEARS TO WHICH AMEDID-MENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title chall be applicable only with respect to taxable years beginning after December 31, 1841.

PAR. 2. Section 30.714-1, as amended by Treasury Decision 5092, approved October 21, 1941, is further amended by changing the second sentence to read as follows:

Regardless of the ratio of earnings to invested capital for previous taxable years, such credit is an amount equal to 8 percent of the corporation's invested capital for the tanable year except that (a) If such invested capital for any taxable year beginning in 1941 exceeds \$5,000,000, the credit for such taxable year is an amount equal to \$400,000 plus 7 percent of the excess over \$5,000,000, and

(b) If such invested capital for any taxable year beginning after December 31, 1941, exceeds \$5,000,000 but not \$10,000,000, the credit for such year is an amount equal to \$400,000 plus 7 percent of the excess over \$5,000,000 but not over \$10,000,000; if such invested capital exceeds \$10,000,000 but not \$200,000,000 the credit is an amount equal to \$750,000 plus 6 percent of the excess over \$10,000,000 but not over \$200,000,000; if such invested capital exceeds \$200,000,000, the credit is an amount equal to \$12,150,000 plus 5 percent of the excess over \$200,000,000.

Par. 3. There is inserted immediately preceding § 30.718-1 the following:

Sec. 205. Computation of excess profits and invested capital of insurance companies. (Revenue Act of 1942, Title II.)

- (d) Section 718 (relating to equity invested capital) is amended by inserting at the end thereof the following new subsec-
- (f) The reserves of an insurance company shall not be included in computing equity invested capital under this section but shall be treated as borrowed capital as provided in section 719.

SEC. .218. Basis of property paid in. (Rovenue Act of 1942, Title II.)

The last two sentences of section 718 (a) (2) (relating to property paid in) are amended to read as follows: "If the property was disposed of before such taxable year, such basis shall be determined under the law applicable to the year of disposition, but without regard to the value of the property was of March 1, 1913. If the property was disposed of before March 1, 1913, its basis shall be considered to be its fair market value at the time paid in. If the unadjusted basis of the property is a substituted basis, such basis shall be adjusted, with respect to the period before the property was paid in, by an amount equal to the adjustments proper under section 115 (1) for determining earnings and profits;".

SEC. 219. DEFICIT IN EARNINGS AND PROFITS OF ANOTHER CORPORATION. (Revenue Act of 1942, Title II.)

- (a) Addition to equity invested capital of transferee. Section 718 (a) is amended by inserting at the end thereof the following new paragraph:
- (7) Deficit in earnings and profits of another corporation. In the case of a transferee, as defined in subsection (c) (5), an amount, determined under such paragraph, equal to the portion of the deficit in earnings and profits of a transferor attributable to property received previously to such day.
- (b) Reduction of equity invested capital of transferor. Section 718 (b) is amended by inserting at the end thereof the following new paragraph:
- (5) Deficit in earnings and profits transferred to another corporation. In the case of a transferor, as defined in subsection (c) (5), an amount, determined under such paragraph, equal to the portion of the deficit in earnings and profits of the transferor attributable to property transferred previously to such day.

(c) Earnings and profits of transferor and transferee. Section 718 (c) (relating to rules for determining invested capital) is amended by inserting at the end thereof the following new paragraph:

(5) Deficit earnings and profits—Earnings and profits of transferor and transferee. If a corporation (hereinafter called "transferor") transfers substantially all its property to another corporation formed to acquire such property (hereinafter called "transferee"), if—

(A) the sole consideration for the transfer of such property is the transfer to the transferor or its shareholders of all the stock of all classes (except qualifying shares) of the transferee. (In determining whether the transfer is solely for stock, the assumption by the transferee of a liability of the transferor or the fact that the property acquired is subject to a liability shall be disregarded);

(B) the basis of the property, in the hands of the transferee, for the purposes of this subsection, is determined by reference to the basis of the property in the hands of the transferor:

(C) the transferor is forthwith completely liquidated in pursuance of the plan under which the acquisition of the property is made; and

(D) immediately after the liquidation the shareholders of the transferor own all such stock:

for the purposes of this subchapter, in computing the equity invested capital for any day after the date of the acquisition of the property, the earnings and profits or deficit in earnings and profits of the transferee and the transferor shall be computed as if, immediately before the beginning of the taxable year in which such transfer occurs, the transferee had been in existence and sustained a recognized loss, and the transferor had realized a recognized gain, equal to the portion of the deficit in earnings and profits of the transferor attributable to such property.

(d) Taxable years to which amendments applicable. The amendments made by this section shall be applicable to taxable years beginning after December 31, 1939.

Sec. 230. Invested in connection with certain exchanges and Liquidations. (Revenue Act of 1942, Title II.)

- (b) Technical amendment.
- (1) Section 718 (d) is amended to read as' follows:
- (d) For special rules affecting computation of property paid in for stock in connection with certain exchanges and liquidations, see Supplement C.
- (c) Previous rules terminated. Section 718 (a) (5) (relating to increase in equity invested capital on account of gain on taxfree liquidation), section 718 (b) (4) (relating to reduction in equity invested capital on account of loss on tax-free liquidation), and section 718 (c) (4) (relating to property paid in for stock on merger or consolidation) shall not apply with respect to any taxable year beginning after December 31, 1941.

(d) Optional retroactivity of amendments to 1940 and 1941. The amendments made by this section, inserting section 760 and section 761, shall also be applicable in the computation of the tax for all taxable years beginning after December 31, 1939, if the tax-payer, within the time and in the manner and subject to such regulations as the Commissioner, with the approval of the Secretary, prescribes, elects to have either or both of such amendments apply. For any taxable year for which the provisions of section 760 are applied retroactively, the amendment made by subsection (b) (2) of this section to section 719 (a) (1) shall also apply. In

case the provisions of section 761 are applied retroactively, the provisions of section 718 (a) (5), section 718 (b) (4), and section 718 (c) (4) shall not apply in such computations.

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

Par. 4. Section 30.718-1, as amended by Treasury Decision 5092, approved October 21, 1941, is further amended as follows:

(A) By striking out the last sentence of the first paragraph and inserting in lieu thereof the following sentences:

For the purpose of determining daily equity invested capital for any taxable year beginning before January 1, 1942, if the property was disposed of before such taxable year, such unadjusted basis shall be determined as if the property were still held at the beginning of such taxable year. For the purpose of determining daily equity invested capital for any taxable year beginning after December 31, 1941, if the property was disposed of after February 28, 1913, and before such taxable year, such unadjusted basis shall be determined under the law applicable to the year of disposition, but without regard to the value of the property as of March 1, 1913; if the property was disposed of before March 1, 1913, its unadjusted basis shall be considered to be its fair market value at the time paid in.

(B) By changing the fourth sentence of the fourth paragraph to read as follows:

Where the basis is the transferor's basis, adjustments shall be made to such basis with respect to the period before the property was paid in, such as are provided in section 113 (b) (2) if the daily equity invested capital is being determined for a taxable year beginning before January 1, 1942, or by an amount equal to the adjustments proper under secton 115 (1) for determining earnings and profits if the daily equity invested capital is being determined for a taxable year beginning after December 31, 1941.

- (C) By inserting immediately before the period in the next to the last sentence of the fifth paragraph "and section 760 (b)".
- (D) By changing the first and second sentences of the sixth paragraph to read as follows:

Section 718 (c) (4), which provides that in certain cases stock acquired by a corporation shall not be treated as property paid in for stock, or as paid-in surplus, or as a contribution to capital, is for the purpose of avoiding duplication in invested capital and shall not be applicable with respect to taxable years beginning after December 31, 1941, or to taxable years beginning after December 31, 1939, and before January 1, 1942, if the taxpayer elects pursuant to the provisions of section 230 (d) of the Revenue Act of 1942 to apply the provisions of section 761 to the computation of equity

invested capital with respect to such years. Thus, for example, if the X corporation owns stock of the Y corporation and both corporations are merged \_ into the Z corporation, the Y corporation stock received by the Z corporation from the X corporation may not be treated as property paid in for stock, or as paid-in surplus, or as a contribution to capital of the Z corporation with respect to taxable years beginning in 1940 or 1941, if corporation Z has not elected to apply the provisions of section 761 retroactively to such years.

(E) By adding at the end of the sixth paragraph the following new sentence:

Section 761 contains rules for the elimination of the duplication replacing section 718 (c) (4) with respect to years to which section 761 is applicable.

PAR. 5. Section 30.718-6, as amended by Treasury Decision 5092, approved October 21, 1941, is further amended as follows:

(A) By changing the heading and the first sentence of the first paragraph to read as follows:

§ 30.718-6 Determination of daily equity invested capital; adjustments with respect to taxable years beginning in 1940 or 1941 on account of receipt of property on certain tax-free liquidations. If the taxpayer has previously received property (other than property described in the last sentence of section 113 (a) (15)) in complete liquidation of another corporation in which no gain or loss was recognized under section 112 (b) (6) or the same section of the Revenue Act of 1936 or 1938, the equity invested capital for any taxable year beginning in 1940 or 1941 shall be increased by an amount equal to the excess of the aggregate of the money and the adjusted basis, at the time of the receipt, of the property other than money so received over the sum of the adjusted basis of the stock with respect to which such property was received and the aggregate of the liabilities assumed by the taxpayer, or to which the property received was subject, and any other consideration given by the taxpayer for such property.

(B) By changing the words "invested capital" in the second sentence of the first paragraph to read "equity invested capital", and by inserting immediately after such sentence the following new sentence:

The provisions of section 718 (a) (5) and (b) (4) shall not be applicable to any taxable year beginning in 1940 or 1941 if the taxpayer elects pursuant to the provisions of section 230 (d) of the Revenue Act of 1942 to use the provisions of section 761 in the computation of equity invested capital for such years.

(C) By changing that portion of the last sentence of the first paragraph preceding Example (1) to read as follows:

The provisions of this paragraph may be illustrated by the following examples which are applicable to taxable years beginning in 1940 or 1941, no election having been made by the taxpayer to make the provisions of section 761 applicable to such years:

PAR. 6. The following new sections are inserted immediately following § 30.718-6, as amended by Treasury Decision 5092:

§ 30.718-7 Determination of daily equity invested capital; deficit in carnings and profits of transferor transferred to transferce. The determination of the amount of money or property paid in for stock or as paid-in surplus or as a contribution to capital of the transferee on account of certain tax-free exchanges is prescribed with respect to excess profits tax taxable years beginning prior to January 1, 1942, by section 751 or by section 760 if the taxpayer elects, pursuant to the provisions of section 230 (d) of the Revenue Act of 1942, to have the provisions of section 760 apply, and with respect to excess profits tax taxable years beginning after December 31, 1941, by section 760. Such amount of property paid in is computed with respect to the unadjusted basis for determining loss of the property in the hands of the transferee, adjusted for the period prior to the time the property was paid in by amounts equal to the adjustments proper under section 115 (1) for determining earnings and profits, minus, inter alia, any liability of the transferor assumed upon the exchange or to which the property received was subject. Since the unadjusted basis of the property received minus any liabilities assumed by the transferee or to which the property received was subject, will reflect the amount of any deficit incurred by the transferor, the equity invested capital of the transferee resulting from the exchange would be reduced by the amount of such deficit, although the amount of such deficit would not have reduced the equity invested capital of the transferor, prior to the exchange, below the amount of its accumulated earnings and profits.

In certain cases where, despite a reorganization of the transferor involving a tax-free exchange of its assets, the corporate identity of the transferor is preserved, section 718 (a) (7) provides that equity invested capital of the transferee for taxable years beginning after December 31, 1939 shall be increased by that portion of the deficit in earnings and profits of the transferor attributable to the property transferred by the transferor to the transferee. Section 718 (b) (5) provides for the complementary reduction in the equity invested capital of the transferor for any day after such a transfer in taxable years beginning after December 31, 1939, by the amount of the deficit in earnings and profits attributable to the property transferred.

If the transferee has received substantially all, but not all, the property of the transferor upon the exchange, the deficit in earnings and profits of the transferor attributable to the property transferred shall be an amount which bears the same ratio to the total deficit in earnings and profits of the transferor as the excess of the basis of the property transferred to the transferee (adjusted by amounts equal to the adjustments proper under section 115 (1) for determining earnings and profits) over the amount of any

liability of the transferor assumed upon the exchange and of any liability subject to which such property was so received bears to the excess of the basis of the total assets of the transferor immediately prior to the exchange (adjusted by amounts equal to the adjustments proper under section 115 (1) for determining earnings and profits) over the amount of any liability of the transferor, and the amount of any liability subject to which such assets were held immediately prior to the transfer.

The adjustments provided by section 710 (a) (7) and section 718 (b) (5) are applicable only in case a corporation (called the transferor) transfers substantially all its property to another corporation formed especially to acquire such property (called the transferee).

provided that:

(a) The sole consideration for the transfer of such property is the transfer to the transferor or its shareholders of all the stock of all classes (except qualifying shares) of the transferee. In determining whether the transfer is solely for stock, the assumption by the transferee of a liability of the transferor or the fact that the property acquired was received subject to a liability shall be disregarded;

(b) The basis of the property in the hands of the transferee is determined by reference to the basis of such property

in the hands of the transferor:

(c) The transferor is forthwith completely liquidated in pursuance of the plan under which the acquisition of the property was made; and

(d) Immediately after such liquidation the shareholders of the transferor own all the stock of the transferee re-

calved by the transferor.

The earnings and profits of the transferee for any day after the date of acquisition of the property shall be considered to have been reduced by an amount equal to the amount by which the equity invested capital was increased pursuant to section 718 (a) (7), as if immediately before the beginning of the taxable year in which such transfer occurred the transferee had been in existence and had sustained a recognized loss equal to the portion of the deficit in earnings and profits of the transferor attributable to the property acquired by the transferee. The deficit in earnings and profits of the transferor for any day after the date of the transfer of property, and prior to the liquidation, must be decreased by the amount by which the equity invested capital is decreased pursuant to section 718 (b) (5), as if immediately before the beginning of the taxable year in which the transfer occurred the transferor had realized a recognized gain equal to the portion of the deficit in earnings and profits of the transferor attributable to the property transferred to the trans-

The provisions of section 713 (a) (7), section 718 (b) (5) and section 718 (c) (5) shall apply only in the case of a taxfree exchange involving a single transferor and shall not apply to instances where two or more transferors transfer property to a transferee in a tax-free exchange.

The provisions of this section may be illustrated by the following example:

Example. In 1940 corporation A, which was organized under the laws of the State of New York, found it necessary to incorporate under the laws of Delaware. Consequently a new corporation B was organized under the laws of Delaware, and in exchange for all its stock received the entire assets of corporation A. Immediately after the exchange corporation A was liquidated, and the stock of corporation B was transferred to the shareholders of corporation A. Immediately prior to the exchange, the equity invested capital of corporation A, consisting of money and property previously paid in for stock, was \$500,000; in addition, corporation A had a deficit in earnings and profits of \$200,000. The adjusted basis of the assets of corporation A at the time of the exchange properly adjusted under section 115 (1) for the computation of earnings and profits, and consequently the unadjusted basis of the assets to corporation B at such time was \$300,000. The equity invested capital of corporation B, however, as of January 1, 1941, is \$500,000 since section 718 (a) (7) requires the addition of corporation A's \$200,-000 deficit to the equity invested capital of corporation B, otherwise determined. As of January 1, 1941, corporation B is also considered to have a deficit in earnings and profits of \$200,000. If in 1941 corporation B had carned \$150,000, its equity invested capital as of January 1, 1942, would be \$500,000 and its deficit in earnings and profits would be \$50,000 (\$200,000 · minus \$150,000). If in 1942 corporation B had earned \$75,000, its equity invested capital as of January 1, 1943, would be \$525,000 (\$500,000 plus \$25,000 accumulated earnings (\$500,000 plus \$25,000 accumulated earnings and profits (\$150,000 plus \$75,000, minus \$200,000)). Immediately after the exchange the equity invested capital of corporation A would be \$300,000 since, section 718 (b) (5) requires the reduction of corporation A's invested capital by the amount of any deficit in earnings and profits transferred to the transferee pursuant to the provisions of section 718 (c) (5), and corporation A's deficit in earnings and profits computed pursuant to section 718 (c) (5) would be zero \$200,000 minus \$200,000).

§ 30.718-8 Determination of daily equity invested capital; insurance companies. Section 718 (f), applicable only to taxable years beginning after December 31, 1941, provides that the reserves of certain insurance companies shall not be included in computing equity invested capital but shall be treated as borrowed capital as provided in section 719.° This rule does not apply to the computation of invested capital of mutual insurance companies other than life or marine, the reserves of which would not be included in equity invested capital under section 718 (see section 718 (e)) but are included only in equity invested capital as provided in section 723 (b).

Par. 7. There is inserted immediately preceding § 30.719-1 the following:

SEC. 205. COMPUTATION OF EXCESS PROFITS AND INVESTED CAPITAL OF INSURANCE COMPANIES. (Revenue Act of 1942, Title II.)

(e) Section 719 (a) (relating to borrowed capital) is amended by striking out the period at the end thereof and inserting a comma and the word "plus" and a comma and the following new paragraph:

(3) In the case of an insurance company, the mean of the amount of the pro rata un-

earned premiums determined at the begin-ning and end of the taxable year, plus, (4) In the case of a life insurance com-pany, the mean of the amount of the adjusted reserves, and the mean of the amount of the reserves on insurance or annuity contracts (or contracts arising out of insurance or annuity contracts) which do not involve, at the time with reference to which the computation was made, life, health, or accident contingencies, determined at the beginning and end of the taxable year.

Sec. 230. Invested capital in connection WITH CERTAIN EXCHANGES AND LIQUIDATIONS. (Revenue Act of 1942, Title II.)

(b) Technical amendment .--

(2) Section 719 (a) (1) is amended by striking out ", and not including indebtedness described in section 751 (b) relating to certain exchanges."

(d) Optional retroactivity of amendments to 1940 and 1941.—The amendments made by this section, inserting section 760 and section 761, shall also be applicable in the computation of the tax for all taxable years be-ginning after December 31, 1939, if the taxpayer, within the time and in the manner and subject to such regulations as the Commissioner, with the approval of the Secretary, prescribes, elects to have either or both of such amendments apply. For any taxable year for which the provisions of section 760 are applied retroactively, the amendment made by subsection (b) (2) of this section to section 719 (a) (1) shall also apply. In case the provisions of section 761 are applied retroactively, the provisions of section 718

(a) (5), section 718 (b) (4), and section 718 (c) (4) shall not apply in such computations.

Sec. 201. Taxable years to which amendments applicable. (Revenue Act of 1942, Ti-

Except as otherwise expressly provided, the amendments made by this title shall be applicable conly with respect to taxable years beginning after December 31, 1941.

Par. 8. Section 30.719-I is amended as follows:

(A) By changing the parenthetical matter in (a) of the first paragraph to read as follows: (other than interest and, in the case of taxable years beginning prior to January 1, 1941, for which the taxpayer has not elected under the provisions of section 230 (d) of the Revenue Act of 1942 to make the provisions of section 760 applicable, other than indebtedness described in section 751 (b) relating to certain exchanges, but including indebtedness assumed or to which the taxpayer's property is subject).

(B) By striking out the period at the end of (b) of the first paragraph and by inserting in lieu thereof ", plus" and the following:

(c) In the case of an insurance company (except a mutual insurance company other than life or marine), for any taxable year beginning after December 31, 1941, the mean of the amount of the pro rata unearned premiums (see section 204 (b) (5) and § 19.204-2 of Regulations 103 as added by Treasury Decision 5236, approved March 1, 1943) determined at the beginning and end of the taxable year, plus

(d) In the case of a life insurance company, for any taxable year beginning after December 31, 1941, the mean of the amount of the adjusted reserves (see section 201 (c) (3) and § 19.201-6 of Regulations 103 as added by Treasury Decision 5222, approved February 2, 1943), and the mean of the amount of the reserves on insurance or annuity contracts (or contracts arising out of insurance or annuity contracts) which do not involve, at the time with reference to which the computation was made, life, health, or accident contingencies, determined at the beginning and end of the taxable year.

The provisions of section 719 (a) (3) and (4) do not apply to mutual insurance companies other than life or marine. For computation of equity invested capital in the case of such corporations, see section 723 (b) and § 30.723-2.

Par. 9. There is inserted immediately preceding § 30.723-1 the following:

SEC. 205. COMPUTATION OF EXCESS PROFITS AND INVESTED CAPITAL OF INSURANCE COMPANIES. (Revenue Act of 1942, Title II.)

- (f) Section 723 (relating to equity invested capital in special cases) is amended by designating the present section as subsection (a)" and by adding a now subsection to read as follows:
- (b) The equity invested capital of mutual insurance companies other than life, or ma-rine, shall be the mean of the surplus, plus 50 per centum of the mean of all reserves required by law, both surplus and reserves being determined at the beginning and end of the taxable year. The surplus shall include all of the assets of the company other than reserves required by law.

SEC. 201. TAXABLE YEARS TO WHICH AMEND-MENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 10. There is inserted immediately following § 30.723-1 the following new section:

§ 30.723-2 Equity invested capital of mutual insurance companies other than life or marine. The equity invested capital of mutual insurance companies other than life or marine shall be determined for taxable years beginning after December 31, 1941, as provided in section 723 (b) rather than section 718. The equity invested capital of such insurance companies for any such year shall be the mean of the surplus, plus 50 percent of the mean of all reserves required by law. both surplus and reserves being determined at the beginning and end of the taxable year. For this purpose surplus means the excess of all the assets of the company over the sum of the liabilities of the company, including in such liabilities the reserves required by law. In determining such excess, all the assets of the company, whether admitted or not admitted, shall be included. "Reserves required by law" include not only reserves required by express statutory provisions but also reserves required by the rules and regulations of State insurance departments when promulgated in the exercise of an appropriate power conferred by statute, but do not include assets required to be held for the ordinary running expenses of the business, such as taxes, salaries, and unpaid brokerage. Only reserves commonly recognized as such in insurance accounting are to be taken into consideration in computing the "reserves required by law." In the case of a fire insurance company the only reserves commonly recognized are the "unearned-premiums."

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 62), as made applicable by sec. 729 (a) of the Internal Revenue Code (54 Stat. 989; 26 U.S.C., 729 (a)), and sections 201, 205 (d), (e), and (f), 217, 218, 219 and 230 (b), (c), and (d) of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

TSEAL]

GUY T. HELVERING, Commissioner of Internal Revenue.

Approved: May 27, 1943.

John L. Sullivan,
Acting Secretary of the Treasury.

[F. R. Doc. 43-8648; Filed, May 28, 1943; 11:32 a. m.]

#### TITLE 30-MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1913]

Part 322—Minimum Price Schedule, District No. 2

#### ORDER GRANTING RELIEF

Order amending order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for rail shipments and changes in shipping points for the coals of-certain mines in District No. 2.

On April 9, 1943, 8 F.R. 5437, an order was issued in this matter granting temporary relief, pending final disposition of the matter, for the coals of certain mines in District No. 2, including Mine Index No. 2341, and providing that the relief therein granted shall become final 60 days from the date thereof, unless it should otherwise be ordered. In accordance with information furnished to the Division by District Board No. 2, the original petitioner herein, the code member operator of Mine Index No. 2341 was listed in the said order as The Highway Coal Co.

Hyman Weinberg of Mount Pleasant, Pennsylvania, has advised the Division that he is the operator of this mine rather than The Highway Coal Co., and he requests that an appropriate order be issued and that he be permitted to become an intervenor in this proceeding. Good cause having been advanced in support of such requests;

Now, therefore, it is ordered, That Hyman Weinberg be, and he hereby is, ad-

mitted as an intervenor in this proceeding.

It is further ordered, That the relief granted for Mine Index No. 2341 in the order dated April 9, 1943, 8 F.R. 5437, § 322.7 (Alphabetical list of code members), in this matter, shall not become final sixty (60) days from the date of the order but shall remain temporary until further order.

It is further ordered, That the said order dated April 9, 1943, shall, in all other respects, remain in full force and effect.

An order scheduling a hearing for the purpose of adducing facts upon which final relief for Mine Index No. 2341 may be based will be issued in due course.

Dated: May 22, 1943.

[SEAL]

DAN H. WHEELER, Director.

[F. R. Doc. 43-2628; Filed, May 23, 1943; 10:45 a. m.]

## [Docket No. A-1836]

PART 324—MINIMUM PRICE SCHEEULE, DISTRICT NO. 4

#### ORDER GRAHITING RELIEF

Order amending order of March 6, 1943, and conditionally providing for final relief in the matter of the patition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4; for changes in shipping points of certain mines, and requesting the establishment of an additional price instruction in the schedule of effective minimum prices for Dictrict No. 4 for all shipments except truck.

On March 6, 1943, 8 F.R. 3509, there was issued in this docket an order granting temporary relief and conditionally providing for final relief. Said order did not provide for the filling of pleadings in opposition to the original petition nor did the order provide that the relief granted should become final.

Now, therefore, it is ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief granted in the order of March 6, 1943, 8 F.R. 3509, may be filed with the Division within forty-five (45) days from the date of this order pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the said relief shall become final sixty (60) days from the date of this order unless it shall otherwise be ordered.

Dated: May 26, 1943.

[SEAL]

DAN H. WHEELER, Director.

[F. R. Doc. 43-8619; Filed, May 28, 1943; 10:45 a. m.]

### TITLE 32-NATIONAL DEFENSE

#### Chapter IX-War Production Board

Subshapter B—Executive Vice Chairman

Authority: Ecgulations in this subchapter indeed under P.D. Reg. 1, as amended, 6 F.R. CC30; W.P.B. Ecg. 1, 7 F.R. 561; E.O. 8024, 7 F.R. 527; E.O. 8025, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; ecc. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 3208—CRITICAL COMMON COM-

[Amendment 1 to General Scheduling Order M-233, an Amended April 21, 1943]

The Schedule annexed to § 3208.1 (General Scheduling Order M-293) is hereby amended by adding to said schedule under the heading Building Materials Division, the following:

Type of critical common component	D:::-	Doz-		cable forms clama	
CLINI VIII INS	Man	1	2	3	
ing check from relia. 8  Alloy recol tracks and beded for high tracks from the contract of the					

Issued this 27th day of May 1943.

War Production Board, By J. Joseph Whelan, Recording Secretary.

[P. R. Doc. 42-8512; Filed, May 27, 1943; 4:55 p. m.]

PART 993—DOLUESTIC ICE REFILIGERATORS [Schedule III, as Amended May 23, 1243 to Supplementary Limitation Order L-7-c]

Section 993.7 Schedule III to Supplementary Limitation Order L-7-c is hereby amended to read as follows:

§ 993.7 Schedule III to Supplementary Limitation Order L-7-c. Pursuant to paragraph (b) (2) of Supplementary Limitation Order L-7-c, the following production quotas for domestic ice refrigerators are hereby established for the period from April 1, 1943 to June 30, 1943, inclusive. During that period each person named is authorized to produce without limit as to number, domestic ice refrigerators pursuant to orders bearing preference ratings of AA-5 or higher, provided that he delivers such domestic ice refrigerators to the person placing such orders prior to July 1, 1943, and in addition, each person named is authorized to produce the number of domestic ice refrigerators set forth below opposite his name:

		Nu	nber of
-		dame	stic ics
Name:		refrig	erators
Alecira	Refrigurator	Company,	
	yn, New York		4,000
	i Fixture & Ma		
	. Louis, Miccou		10,000
America	a Sanitary Pari	tition Com-	
	Long Icland, No		5, 099
	lable & Cabino		
Brookl	yn, New York		3,000

<sup>&</sup>lt;sup>2</sup>8 P.R. 5370.

Number of	
domestic ice	
Name—Continued. refrigerators	
Name—Continued. refrigerators Broquinda, Inc. of Florida, St. Petersburg, Florida	
Bringwick Refrigerator Company.	
Brunswick Refrigerator Company, Brooklyn, New York 4,000	
Chattanooga Stamping & Enamel- ing Co., Chattanooga, Tennessee. 3,400	
ing Co., Chattanooga, Tennessee_ 3,400	
Colomon Eurniture Company, Pli-	
laski, Virginia 10,000	
Kansas City, Missouri	
laski, Virginia	
nesota 33,000	
nesota 33,000 George H. Dean, Inc., Norwood,	
Rhode Island	
Dratch's Victory Refrigerator Box, Brooklyn, New York 2,500	
Fy-Boro Metal Products Company,	
Inc., Brooklyn, New York	
Gotz Bros & Company, San Fran-	
cisco, California 5,000	
cisco, California 5,000 Ice Cooling Appliance Corporation,	-
Morrison, Illinois20,000 Iceland Refrigerator Company, Inc.,	
Iceland Refrigerator Company, Inc., Brooklyn, New York	
Brooklyn, New York	
Brooklyn, New York	
Brooklyn, New York5,000 Jack Langston Company, Dallas,	
Texas 500	
Maine Manufacturing Company,	
Nashua, New Hampshire 13,500	
Minton Lumber Company, Mountain View, California 5,000  Modern Refrigerator Company, Brooklyn, New York 5,000	
Modern Refrigerator Company,	
Brooklyn, New York 5,000	
Modern Reingerator Works, Glen-	
dale, California 4,500	ı
C. Nelson Manufacturing Company, St. Louis, Missouri	1
Progress Refrigerator Company, Louisville, Kentucky10,000 L. D. Reeder Company, Los Angeles, California 5,000	
Louisville, Kentucky 10,000	)
L. D. Reeder Company, Los Angeles,	
	)
Sanitary Refrigerator Company, Fond du Lac. Wisconsin 15,000	
Fond du Lac, Wisconsin 15,000 Seeger Refrigerator Company, St. Paul, Minnesota 20,000	,
Paul. Minnesota 20,000	)
Seneca Furniture Company, Seneca,	
South Carolina75	j
Stoddard Manufacturing Company,	
Mason City, Iowa 2,000 Success Manufacturing Company,	,
Gloucester, Massachusetts 6,000	)
Victory Manufacturing Corporation,	
Baltimore, Maryland 3,500	)
Ward Refrigerator & Manufacturing	
Company, Los Angeles, Calif 18,000	•
Issued this 28th day of May 1943.	

War Production Board, By J. Joseph Whelan, 'Recording Secretary.

[F. R. Doc. 43-8634; Filed, May 28, 1943; 11:10 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATING AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Amendment 1 to General Limitation Order L-38, as Amended May 20, 1943]

Section 1071.1 General Limitation Order L-38, as Amended May 20, 1943, is hereby amended, by changing "AA-4" appearing in paragraphs (b) (1) (i) (a) and (b) (1) (ii) to "AA-5".

Issued this 28th day of May 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-8635; Filed, May 28, 1943; 11:10 a. m.]

## PART 1151-TUBES

[Limitation Order L-76 as Amended May 28, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron or steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1151.1 General Limitation Order L-76—(a) Definitions. For the purposes of this order:

(1) "Tube" means any device consisting of an evacuated enclosure containing a number of electrodes between two or more of which conduction of electricity through the vacuum or contained gas may take place.

(2) "Manufacture" means the sealing in and the exhausting of the mount

tube assemblies.

(3) "Producer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated cr not, engaged in the production of tubes.

(4) "Tube type number" means either those designations given in the commercial and technical literature of producers of tubes, or those designations given by the Tube Division of the Radio Manufacturers Association of America, for

each specific type of tube.
(5) "Preferred order" means any specific order, contract or subcontract for the manufacture of tubes for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, any foreign country pursuant to the Act of March 11 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or any order bearing a preference rating of AA-1.

(b) General restrictions. (1) From April 24, 1942, no producer shall manufacture any tubes of the type listed in List A as amended from time to time.

(2) The restrictions contained in subparagraph (1) of this paragraph shall not apply to preferred orders.

(c) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or fur-

nishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(f) Reports. All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(g) Communications to War Production Board. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C. Ref.: T-76

(h) Applicability of Priorities Regulation No. 1. This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

Issued this 28th day of May 1943.

War Production Board, By J. Joseph Whelan, Recording Secretary.

#### LIST A

Pursuant to the restrictions contained in paragraph (b) (1) of Limitation Order L-76, no producer shall manufacture any tubes of the type listed below:

6AG5GT 6AG6G 6AH5G 6AL6G 6B6 6B7S 6B8GT 6C5G 6C5MG 6C7 6C8GT 6D5G	6Y5S 6Y5V 6Y6 6Y6GT 6Y7G 6Z3 6Z4 6Z5 6Z5/12Z5 6Z6MG 6Z7G 7	25N6G 25RE 25S 25M6GT 25Y4GT 25Y5 25Z3 25Z4 25Z4GT 25Z5MG 25Z6G
6D5MG 6D6G 6D7 6D8 6E4GT 6E6 6E7	7ATLM 7B5LT 7B6LM 7B8LM 7C5LT 7D7 7G7 7N5	27S 29 31 35A5LT 35L6G 35RE 35S/51S
6F5MG 6F7S 6G5 6G7 6G7S 6H4G 6H5	7E7 8 9 WD11 WD12 WX12 12A	35Z3LT 35Z5G 35Z6GT 40 45A 46A1
6H6G 6H6MG 6H7S 6H8G 6J5G 6J5GX 6J6GT 6J7MG	12A5 	45B1 48 49 50C6G 50L6G
6K6G 6K6MG 6K7MG 6L6GT 6L6GX 6M6G 6M7G	12J5G 12J7G 12K7G 12K8GT 12Q7G 12S7GT 12SA7G	50Z6GT 50Z6GT 50Z7G 51 52 55 55
6MEGT 6N5 6N5G 6N6 6N6GT 6N6MG 6N7G	12SC7GT 12SK7G 12Z5	56AS 56S 57AS 57S 58AS 58S 64
6N7GT 6P5G 6P6 6P7G 6P8G 6Q6 6Q6G	14 14A4 14A7 14B6 14B8 14C5 14E6 14E7	65 68 69 70 70A7GT 70L6GT 75S
607MG 6R5G 6S5 6S6GT 6SE7GT 6T5	14F7 14N7 14Y4 15 17 18 20	82V 85AS 87S - 88S 89 95 V99
6T7G/6Q6G 6U5	22 24 24S 25A6 25A6G	X99 117E4GT 117L7GT 117M7GT 117Z6G 117Z6GC 182B/482B
6W5G 6W6GT 6X5 6X5G 6X6G 6X3G	25AC5G 25B5 25B6G 25B8GT 25D8GT	183/483 401 485 950 1232 1852 1853
6Y5 6Y5G 6Y5GT	25L6 25L6G	

[F. R. Doc. 43-8636; Filed, May 28, 1943;

#### Part 1160—Coal Stokets [General Limitation Order L-75, 23 Amended May 23, 1843]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1160.1 General Limitation Order L-75—(a) Definitions. For the purposes of this order,

(1) "Coal stoker" means any device designed and produced for the purpose of feeding coal as a fuel to a combustion chamber; including, but not limited to, any feed screw, ram, spreader, or moving grate. Coal stokers shall not include any device designed and produced for the purpose of feeding coal as a fuel to a locomotive:

(2) "Class A coal stoker" means any coal stoker which has a grate area of 36 square feet or less, and a coal feeding capacity in excess of 60 pounds per hour. For the purpose of this paragraph, side dump plates designed to burn coal shall be considered a part of the grate area.

(3) "Class B coal stoker" means any coal stoker which has a maximum coal feeding capacity not in excess of 60 pounds per hour.

(b) General restrictions—(1) Restrictions on orders for Class A coal stokers. No person shall place an order for the manufacture of a Class A coal stoker unless such order is accompanied by the authorization of the War Production Board on PD 668. Any order so authorized by the War Production Board shall be deemed a "rated order" for the purposes of § 944.2 of Priorities Regulation No. 1.

(2) Restrictions on delivery. On and after the 4th day of November, 1942, notwithstanding any contract or preference rating, no manufacturer of a Class A coal stoker shall deliver or transfer any such stoker except:

(i) In accordance with specific authorization given by the War Production Board.

(ii) Such Class A stokers as are listed as unfilled orders in the schedule required to be filed with the War Production Board by paragraph (b) (3) of this order

The War Production Board may, in its discretion, at any time before delivery of a Class A stoker by a manufacturer, revoke or modify any authorization for the delivery of a Class A stoker granted under the provisions of this paragraph (b).

(3) Filing of schedule of production and delivery by manufacturers of Class A coal stokers. On the 4th day of November, 1942, each manufacturer of Class A coal stokers shall file, by registered mail, a schedule of production and de-

livery with the War Production Board, Plumbing and Heating Division, Washington, D. C., setting forth the following information:

All unfilled orders for Class A coal stokers received on or before the 4th day of November, 1942; a brief description of each stoker (including feeding capacity in pounds per hour and extent of completion); the schedule date of each delivery and the name and address of the person ordering each stoker, together with any preference rating applied or extended to such delivery.

No manufacturer shall change the date of any delivery as so scheduled to a later date without specific authorization from the War Production Board.

(4) Specific exemptions. Until the 23rd day of November, 1242, the provisions of this paragraph (b) shall not apply to any order for Class A coal stoker to be used by the Army, Navy, Maritime Commission or War Shipping Administration of the United States.

(5) Restriction on manufacture of Class B stollers. No person shall manufacture a Class B stoker.

(c) Manufacture of replacement parts. Nothing in this order shall be construed to prohibit or restrict the manufacture of replacement parts for any type of coal stoker.

(d) Avoidance of excessive inventories. No person shall accumulate inventories of any materials (whether raw, semi-processed or processed) for manufacture into coal stokers in excess of the minimum amount necessary to maintain production of coal stokers to the extent permitted by this order.

mitted by this order.

(e) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) Reports. Each manufacturer to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(h) Violations. Any person who vilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) Appeals. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may apply for relief by addressing a letter to the War Production Board setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(j) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as

amended from time to time.

(k) Applicability of other orders. Insofar as any other order heretofore or hereafter issued by the War Production Board, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(1) Routing of correspondence. Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Plumbing and Heating Division, Wash-

ington, D. C., Ref: L-75.

Issued this 28th day of May 1943.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 43-8637; Filed, May 28, 1943; 11:10 a. m.]

PART 3243—SHIPPING CONTAINERS
[Preference Rating Order P-140, as amended
May 28, 1943]

WOODEN AND FIBRE SHIPPING CONTAINERS Note: Part 3180 redesignated to Part 3243 May 28, 1943.

To facilitate the acquisition of wooden and fibre shipping containers in the public interest and to promote the defense of the United States, preference ratings are hereby assigned to deliveries of such containers upon the following terms:

§ 3243.17 Preference Rating Order P-140—(a) Definitions. For the pur-

poses of this order:

(1) "Shipping container" means any empty new or used box, crate, case, barrel, keg, kit, pail, tub, drum, basket, or hamper, in set-up or knock-down form, which is made in whole or in part from wood or corrugated or solid fibre and which is used as an outer container for the delivery or shipment of materials. The term does not include trunks, luggage or military locker boxes.

(2) "Part" means any shook, cleat, stave, heading, veneer, plywood, or corrugated or solid fibre which is cut to size

for a shipping container.

(3) "User" means any person who:
(i) Uses shipping containers for the shipment or delivery of materials in connection with the sale thereof;

(ii) Gives, sells, rents or lends shipping containers to his suppliers of any product for their use in shipping or delivering such product to him.

(b) Assignment of preference ratings.
(1) Preference ratings are hereby assigned as follows to deliveries of shipping

containers or parts for the uses indicated below:

(i) AA-1 for the uses specified in List 1 attached hereto;

(ii) AA-2X for the uses specified in List 2 attached hereto;

(iii) AA-3 for the uses specified in List 3 attached hereto;

(iv) AA-4 for the uses specified in List 4 attached hereto;

(v) AA-5 for the uses specified in List 5 attached hereto.

(2) Preference ratings for uses not specified in the Lists attached hereto, as well as preference ratings differing from those assigned for Listed uses in accordance with subparagraph (1) of this paragraph (b) may, on application by any person on Form PD 802, be assigned to deliveries of shipping containers or parts by the War Production Board. Such assignment shall be accomplished by returning to the applicant an approved copy of said Form PD 802.

(3) Except where specifically stated to the contrary, the preference ratings assigned hereunder shall be available for the uses authorized, irrespective of whether or not the materials to be placed in the shipping containers have any in-

ner wrappings or containers.

(c) Application and extension of preference ratings. (1) The preference ratings assigned pursuant to paragraphs (b) (1) and (2) above may be applied by any user in the manner provided in Priorities Regulation 3, for the purpose of obtaining shipping containers or parts for the uses indicated.

- (2) Notwithstanding the provisions of any other preference rating order, preference rating certificate, or Regulation of the War Production Board, on and after February 24, 1943, no person receiving a rated order for the delivery of shipping containers or parts shall extend such rating to obtain any materials (other than parts as herein defined) for use in the manufacture of such shipping containers or parts; but if the person receiving such rated order acquires shipping containers or parts for redelivery without fabrication by him, other than the assembly of parts, he may extend such rating (as provided in Priorities Regulation 3) to such purchases.
- (3) Notwithstanding any contrary provision of any Regulation of the War Production Board, no person eligible under this paragraph (c) to apply or extend preference ratings hereunder shall be considered ineligible because he is a PRP unit.
- (d) Ratings applicable to existing unfilled orders. (1) Preference ratings assigned hereunder may be applied or extended to any unfilled order for shipping containers or parts placed prior to February 24, 1943. Any ratings so applied or extended shall supersede any other ratings applicable to such orders to the extent provided by Priorities Regulation 12.
- (2) No person shall give effect to any preference rating which has been applied or extended to any existing unfilled order placed prior to February 24, 1943, for shipping containers or parts, unless

- (i) Such preference rating has been applied or extended to such order after February 24, 1943 in accordance with subparagraph (1) of this paragraph (d), or
- (ii) The items covered by such order are actually in transit or delivered to the customer on or before the 11th day of March 1943, or
- (iii) He has been advised in writing by the person from whom such order was received that the rating originally applied or extended thereto is consistent with the ratings assigned under this order.
- (3) The provisions of this paragraph (d) shall not affect rated orders placed prior to February 24, 1943, for the delivery of materials, other than parts, to be used in the manufacture of shipping containers or parts, nor require the cancellation or rerating of such orders.
- (e) Restrictions on application, extension and acceptance of other ratings.
  (1) Subject to the provisions of paragraph (f) of this order, but notwithstanding any contrary provisions of any other preference rating order, preference rating certificate or regulation of the War Production Board, no person shall apply or extend any preference rating, for the delivery of shipping containers or parts except as specified in and in accordance with this order.

(2) No person receiving an order for shipping containers or parts shall give effect to any preference rating applied or extended thereto on and after February 24, 1943, if he knows or has reason to believe that said rating has not been applied or extended in accordance with the provisions of this order.

(f) AAA ratings. Nothing in this order shall apply to or in any way restrict the application or extension of

any rating of AAA.

(g) Miscellaneous provisions—(1) Applicability of regulations. Except as otherwise provided in this order, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as same may be amended from time to time.

(2) Effect of other orders. The assignment of preference ratings hereunder shall not constitute authorization for the delivery, receipt, manufacture or use of any materials in violation of the provisions of any conservation or limitation order heretofore or hereafter issued by the War Production Board.

- (3) Records. In addition to the records required to be kept under Priorities Regulation No. 1, a user and each other person placing or receiving any purchase order or contract rated pursuant to this order shall retain for a period of two years for inspection by representatives of the War Production Board endorsed copies of all such orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such a manner that they can be readily segregated for such inspection.
- (4) Reports. Each person who applies a preference rating assigned by or pur-

suant to this order shall file such reports as may be required from time to time.

(5) Communications to the War Production Board. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C. Ref.: P-140.

(6) Violations. Any person who wil-

fully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(7) Revocation or amendment. This order may be revoked or amended at any time as to any person. In the event of revocation, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications of the rating to any other deliveries shall thereafter be made by the person affected by such revocation.

Issued this 28th day of May 1943.

WAR PRODUCTION BOARD, By J. Joseph Whelan, Recording Secretary.

LISTS OF USES OF SHIPPING CONTAINERS TO WHICH PREFERENCE RATINGS ARE ASSIGNED BY ORDER P-140 . . .

## LIST 1-AA-1

Shipping containers or parts for:

(a) The delivery or shipment, to the Army or Navy of the United States of the following combat end products complete for tactical operations-

(1) Aircraft

(2) Ammunition

(3) Aimament and weapons

(4) Tanks Vehicles

(5)

Escort naval vessels

The following subsistence items: a. Emergency rations

b. Canned meats, fish and poultry c. Canned butter and powdered milk

d. Canned dried eggs.

(8) Drugs, pharmaceutical and biological

(9) Medical and surgical supplies and

equipment (b) The delivery or shipment of materials which are to be physically incorporated in any of the foregoing products provided—
(i) such products are to be delivered to the Army or Navy of the United States;

(ii) orders for the shipping containers or parts indicate that they are to be used solely for the delivery or shipment of such ma-terials

## LIST 2-AA-2X

Shipping containers or parts for the following uses to the extent not covered by

(1) Export shipment of any article to any point outside of the forty-eight states of the United States, the District of Columbia, or

(2) Delivery or shipment of materials to or for the account of the Army or Navy of the United States (exclusive of United States Army or Marine Corps Post Exchanges or

United States Navy Ships Service Departments located within the Continental limits of the United States), the United States Maritime Commission, the War Shipping Administration and the Panama Canal.

(3) Delivery or chipment of materials which are to be physically incorporated into products to be delivered to or for the account of any of the following, where orders for the shipping containers or parts indicate that they are to be used solely for such delivery or shipment:

Army or Navy of the United States (exclusive of United States Army or Marine Corps Post Exchanges or United States Navy Ships Service Departments). United States Maritime Commission.

War Shipping Administration. Panama Canal.

Any agency procuring for delivery purcuant to the Act of Congress of March 11. 1941 entitled "An Act to Promote the Defense of the United States" Lease Act).

(4) Delivery or chipment of feeds set eside for purchase by government agencies purcu-ant to orders heretofore or hereafter issued by the War Production Board or the Secretary of Agriculture. Use of chipping con-

retary of Agriculture. Use of chipping containers for storage of such foods during the set aside period pending government purchase shall be considered use for delivery or shipment for purposes of this order.

(5) Delivery, shipment or storage of "confrolled meats", as defined in Restriction Order No. 1 of the Office of Price Administration, delivered or held for delivery "without charge against quotas" as provided by said order. said order.

#### LIST 3-AA-3

Note: Items 5a, 17a added May 28, 1943.

Shipping containers or parts for the delivery or shipment of the following products (to the extent that such felivery or chipment is not covered by any preceding list): 1. Abrasive wheels and abrasives. 2. Agricultural implements; machinery,

parts, accessories and equipment

therefor.

3. \*Alcohol, 5 gallons.

4. Automotive replacement parts and replacement batteries as defined in Orders I-158 and I-160.

5. \*Butter, 10 lbs.

5a. Canned foods.

6. Chemicals, except those in List 4.

7. Communication equipment.

8. Crucibles, commercial.
9. Dried applies, dried apricots and dried peaches.

10. \*Driers for paints, varnish and lacquer,

5 gallons,
11. Drugs, pharmacoutical and biological preparations. 12. Edible or incdible oils or greates, 30

gallons.

13. Fish, including shell fish.

13. Fish, including 14. Fresh fluid milli.
15. Fresh fruits and vegetables as follows:
Plums Bananas Prunes, fresh Cherries Berries Citrus Beans, enap and lima

Grapes Carrota Nectarines Peas, fresh green Tomatoes Peaches

16. Fresh meat, meat products and lard.
17. \*Fruit and vegetable julees, 10 gallons.
17a. Glass feed containers (except containers for beverages in liquid form); closures therefor.

18. \*Honey, 10 gallons.
19. Industrial machinery, including electrical equipment; parts, accessories and equipment, engines and batteries therefor.

20. Internal combuction engines. 21. Laboratory Reagent Chemicals, C. P. Grade.

22. \*Lard, tallow and chartening, 5 gallons.

23. \*Lubricating greaces, 5 pounds. 24. \*Lubricating oils, 5 gallons. 25. Machine tools and accessories.

26. Medical and surgical supplies.

27. Mechanical power transmission machinery and equipment:

23. Metal chesto, rods and tubes.
23. Mining machinery.
30. Paint, except dry powder, 5 gallons.
31. Pleided foods, 5 gallons.

32. Printing ink.

33. Putty, glazing and caulking compounds, 5 gallons.
34. Professional and scientific equipment

and instruments.

35. Railroad machinery, equipment and track accessories.

36. \*Refractory cements, 5 gallons.

37. \*Roof coments, plastic, 5 gallons.
38. \*Roof contings, liquid, 5 gallons.
39. Tractors and construction equipment (including motor vehicles); parts, accessories and equipment therefor. 40. Varnich and Lacquer, 5 gallons.

#### LIST 4-AA-4

Nove: Item 7 revoled, item 18a amended May 23, 1943.

Shipping containers or parts for the deliv-ery or chipment of the following products (to the extent that such delivery or shipment is not covered by any preceding list):

1. Alloys and rollings.

2. Asbestes products.

3. †Asphalt, 30 gallons.

4. Batteries.

5. Beverages, 5 gallons.

6. Burners, boilers and mechanical stokers; acceptance therefor.

7. [Revoked May 23, 1943.]

8. Castings and forgings. 9. Chemicals, as follows:

Aluminum sulfate Ammonium chloride Ammonium nitrate Ammonium phosphate (Di) Ammonium phosphate (Mono)

Ammonium sulfato Borax

Boric acid Calcium arconate Calcium carbonate

Calcium oxida Calcium phosphate (Di basic)

Calcium phosphate (Tri basic) Calcium phosphate (Mono basic)

Calcimino Carbon (activated) Copper carbonate

Copper sulfate Load arcenate Manganese sulfate

Magnicium carbonate, Magnesium sulfate (Epcom Salts)

Paradichlorobenzene

Potach Alum Potacolum carbonate Potacolum blearbonate Potacolum tartrate

Sal coda Eriz alum Eada ach

†The preference rating assigned to List 4 The protections string engines to hist a usualishe to cotain shipping containers or parts for the materials on said list marked with an asterick only when such materials are packed without inner packaging or wrapping and only when the containers have a capacity equal to or greater than that indicated after each such material.

<sup>\*</sup>The preference rating assigned to List 3 uses is available to obtain chipping containers or parts for the materials on said list marked with an asterisk only when such materials aro packed without inner packeging or wapping and only when the containers have a capacity equal to or greater than that indicated after each such material.

0

7196 Chemicals, as follows—Continued. Sodium bicarbonate Sodium carbonate (sesqui) Sodium chloride Sodium metaborate Sodium phosphate (di basic) Sodium phosphate (mono basic) Sodium phosphate (tri basic) Sodium phosphate (hexameta) Sodium phosphate (tetra) Sodium pyrophosphate Sodium pyrophosphate (tetra) Sodium silicates, dry Sodium sulfate (anhydrous) Sodium sulfate (Glaubers salt) Stearic acid Sulfur dust Sulfur refined Tartaric acid Zinc sulfate Zinc stearate Related compounds: Adhesives (dry) Boiler compounds (dry) Dry detergents (except those containing more than 5% Caustic Soda or Caustic Potash and excepting synthetic wetting agents).

10. Compressed and liquefied gas. 11. Cork products. 12. Dairy products not otherwise listed. 13. Dried, frozen and preserved foods not elsewhere listed. 14. Explosives and ammunition (nonmilitary). 15. Fibrous glass products. Fire extinguishers. 17. Fresh fruits and vegetables, as follows: Cranberries Kale Quinces Lettuce Asparagus Okra Onions, green Beets . Broccoli Peppers, green Radishes Cauliflower Rhubarb Celery Chickory Greens Shallots Spinach Collards Cucumbers Potatoes, sweet Egg Plant Squash, summer Escarole Turnips Greens 18. Fruit and vegetable trees and plants (excluding ornamental). 18a. Glass containers not otherwise listed; closures therefor.

19. Hardware (including but not limited to nuts, bolfs, nails, screws, and spikes).

20. Mineral wool products. 21. †Molasses, 5 gallons. 22. Petroleum products. 23. Pipe and pipe fittings. 24. Poultry and poultry products (including shell and dry eggs). 25. Pumps and pumping equipment. 26. Refractories. 27. †Rosin, 30 gals.28. Shortening and edible oil.29. Stamping and machine shop metal products. 30. Steam fittings. 31. Steam turbines. 32. Steel springs. 33. Tin cans and tinware. 34. Tools. 35. †Turpentine, 30 gals. 36. †Tar, 30 gals.

Shipping containers or parts for the delivery or shipment of the following products (to the extent that such delivery or shipment is not covered by any preceding list).

- 1. Beverages. 2. Bicycles.
- Blowers and fans.
   Caskets or coffins.
- 5. Clothing.
- 6. Cooking and heating appliances.
- Enameled iron sanitary ware.
   Fabricated structural metals.
- †See footnote on page 7195.

- 9. Flat glass.
  10. Leather products.
- 11. Office and store machines.
- 12. Paint—dry powder.
  13. Protective coatings.
- 14. Putty, glazing and caulking compounds.
- 15. Paper and pulp products.
- Refrigerators. 17. Steam and hot water appliances.
- 18. Steel doors and windows.
- 19. Textiles. 20. Tobacco.
- 21. Vitreous plumbing and enameled products.
- 22. Waxes and polishes.
- 23. Fresh fruits and vegetables not elsewhere listed.
- [F. R. Doc. 43-8638; Filed, May 28, 1943; 11:10 a. m.]

Chapter XI-Office of Price Administration

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PROD-UCTS, PRINTING AND PUBLISHING

[MPR-182,1 Amdt. 7]

KRAFT WRAPPING PAPERS, CERTAIN KRAFT BAG PAPERS AND CERTAIN BAGS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

In the text of § 1347.306 (c) the word "person" is amended to read "manufacturer".

This amendment shall become effective June 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of May 1943.

GEORGE J. BURKE, Acting Administrator.

[F. R. Doc. 43-8613; Filed, May 27, 1943; 4:57 p. m.]

PART 1351-FOOD AND FOOD PRODUCTS

[MPR 280,<sup>2</sup> Amdt. 23]

MAXIMUM PRICES FOR SPECIFIC FOOD . PRODUCTS; CHEESE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith. has been filed with the Division of the Federal Register.\*

The first undesignated paragraph of § 1351.807a is amended to read as fol-

§ 1351.807a Special provision for domestically produced foreign-type cheese. Sellers of all cheese produced in the forty-eight (48) States of the United States and the District of Columbia, except the following cheeses:

Processed cheese of all kinds.

Cheddar cheese covered by Maximum Price Regulation No. 289.3

- \*Copies may be obtained from the Office of Price Administration.
- <sup>1</sup>7 F.R. 5712, 6048, 7974, 8997, 8948, 9724, 10811; 8 F.R. 4252, 4180.
- <sup>2</sup>.8 F.R. 5165, 6357. <sup>3</sup>.7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327, 4335, 4337, 4338, 4513, 4918, 6440.

Aged cheddar cheese covered by Maximum Price Regulation No. 280.

Colby cheese.

Washed curd cheese,

Monterey or jack-cheese. All other cheeses of cheddar class having a moisture content of 40% or more.

Cottage cheese.

Baker's cheese.

Pot cheese.

Smearcase cheese.

Neufchatel cheese.

All other cheese of less than 20% butterfat content in the water free substance.

may add 3¢ per pound to the maximum prices provided in § 1351.803 hereof: Provided, That the 3¢ increase shall not be applied by any seller in an amount which is greater than the exact sum in cents per pound than the amount by which his supplier increased his (the supplier's) maximum price pursuant to the terms of this section: And further provided, That this 3¢ increase shall not be applied to those stocks of cheeses which were in the seller's possession prior to February 10, 1943. However, a cheeso factory may apply this increase to cheeses which it has manufactured and delivers on or after February 10, 1943, regardless of whether such cheeses were manufactured before or after that date.

This amendment shall become effective June 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of May 1943.

GEORGE J. BURKE. Acting Administrator.

[F. R. Doc. 43-8614; Filed, May 27, 1943; 4:57 p. m.]

PART 1351-FOOD AND FOOD PRODUCTS [MPR 319,1 Amdt., 4]

CERTAIN BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 319 is amended in the following respects:

- 1. Section 1351.1907 is amended to read as follows:
- § 1351.1907 Producers must print on wrappers all maximum prices for sales to ultimate consumers. Wherever a producer sells a commodity listed in Appendix A hereof in a wrapper or other packaging materials after having calculated or reported his maximum price thereon, and where said commodity is intended to be sold by retailers, he shall print on the face of said wrapper or packaging material the maximum price of the retailer for sales to ultimate consumers calculated in accordance with Section 1351.1904, or where he sells said commodity directly to the ultimate consumer, his maximum price for sales to ultimate consumers calculated in accordance with § 1351.1903: Provided, That where the producer has on hand a supply of wrappers or other packaging

<sup>18</sup> F.R. 1808, 2719, 2720, 3846.

materials procured at any time prior to the effective date of this regulation and which does not bear, with or without description, a price of the commodity in excess of either said maximum prices for sales to ultimate consumers as herein specified, he may exhaust his present supply before procuring wrappers or other packaging materials bearing the price above specified.

- 2. Section 1351.1910 (a) and (b) are amended to read as follows:
- (a) Time within which maximum prices must be calculated and reported. Every producer subject to this regulation shall calculate and report his maximum prices in writing to the Office of Price Administration, Washington, D. C., within 60 days after the effective date of this regulation. At any time after any such producer has calculated or reported his maximum prices under this regulation, he may not sell these commodities at a price higher than the price reported or calculated although he may sell at a lower price. Maximum prices for sales to ultimate consumers shall be reported to the State or district office of the Office of Price Administration.
- (b) Recalculation of maximum prices periodically. During the months of April and October of each year after the effective date of this regulation beginning with October, 1943, every per-· son subject to this regulation shall recalculate, pursuant to the provisions of this regulation, his maximum prices on all commodities listed in Appendix A of this regulation, on the basis of his then existing ingredient and packaging costs. but using the previous direct labor costs and mark up, and each producer shall report these new maximum prices in writing to the Office of Price Administration, as hereinbefore specified. At any time after any person has calculated or reported his new maximum prices under this regulation, he may not sell these commodities at a price higher than the price reported or calculated although he may sell at a lower price.
- 3. Section 1351.1918 (a) (2) is amended to read as follows:
- (2) "Wholesaler" means any person, group of persons, firm or corporation other than a routeseller purchasing a commodity listed in Appendix A for resale to any person other than an ultimate consumer.

This amendment shall become effective June 2, 1943.

Note: The record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of May 1943.

George J. Burke, Acting Administrator.

[F. R. Doc. 43-8615; Filed, May 27, 1943; 4:57 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B,1 Amdt. 4]

## PASSENGER AUTOMOBILES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1.9a (b) is amended by striking therefrom the words and figures "June 1, 1943" and inserting in lieu thereof the words and figures "June 30, 1943".

This amendment shall become effective June 1, 1943.

Norn: All reporting or record keeping requirements of this amendment have been approved by the Burcau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 563, Supp. Dir. 1A, 7 F.R. 695, 1493, 2229, 2729, Supp. Dir. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of May 1943.

George J. Burke, Acting Administrator.

[F. R. Doc. 43-8616; Filed, May 27, 1943; 4:57 p. m.]

PART 1381—SOFTWOOD LUMBER [MPR 253,3 Amdt. 4]

REDWOOD LUMBER AND MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 253 is amended in the following respects:

- 1. Section 1381.412 Table 1 (E) is amended by inserting the figure "\$26.00" in the vertical column headed "Add for dry", on the horizontal lines applying to sizes 5" x 5", 6" x 6", and 6" x 8".

  2. Section 1381.412 Table 16 is amend-
- 2. Section 1381.412 Table 16 is amended by inserting in the column headed "Green" immediately below the item "Log cabin siding 2" and thicker" two items to read as follows:

3. Section 1381.413 Table 6, in the note headed "Estimated Weight (Pounds)", the second "3" Green" item is corrected to read "4" Green".

This amendment shall become effective June 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of May 1943.

George J. Burke, Acting Administrator.

[P. R. Doc. 43-8621; Filed, May 27, 1943; 4:63 p. m.]

PART 1390—MACHINERY AND TEAMSPORTATION EQUIPMENT

[LIPR 1351 as Amended, Amdt. 87]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 136, as amended, is amended in the following respects:

- 1. Section 1390.11 (d) (2) is amended to read as follows:
- (2) Computation of maximum price. Under the "depreciation method", the maximum price of any second-hand machine or part listed in § 1390.35, Appendix D, "Table of depreciation rates" shall be the new base price for such machine or part less depreciation on the straight line method, at the rate provided for such type of machine or part in that table, from the date of acquisition by the original purchaser for use of the machine or part when new to the date of sale. In measuring such period of time, a fractional period of a month consisting of sixteen days or more shall be regarded. as a full month and a fractional period of a month consisting of 15 days or less shall be disregarded. Upon each sale at a price computed under this paragraph, the seller shall deliver to the buyer a signed statement setting forth the name and address of the original purchaser for use of the machine or part when new and the date of acquisition of such machine or part by such purchaser.
- 2. Section 1330.11 (g) (1) (vi) is amended to read as follows:
- (vi) Direct expanses actually incurred by Defense Plant Corporation and normally charged the purchaser under the agreement of lease between Defense Plant Corporation and the purchaser; or, if no provision for direct expenses is specified in such agreement, direct expenses actually incurred by Defense Plant Corporation and normally charged by Defense Plant Corporation to other

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>18</sup> F.R. 2483, 5317, 5531, 5678.

<sup>27</sup> F.R. 9230, 10848; 8 F.R. 1139, 4136, 4720.

<sup>17</sup> P.R. 3183, 3370, 3447, 3723, 4176, 5047, 5362, 5553, 5803, 6425, 6532, 6533, 6364, 6365, 6347, 6373, 7010, 7248, 7320, 7353, 7509, 7602, 7739, 7744, 7807, 7912, 7345, 7944, 8183, 8352, 8433, 8478, 8529, 8532, 8707, 8837, 8901, 8348, 8040, 9041, 8042, 8053, 9054, 9729, 9736, 9322, 8523, 8533, 10163, 10239, 10355; 8 P.R. 155, 369, 634, 1033, 1332, 2270, 3314, 3370, 3314, 3348, 4341, 4470, 4515, 4516, 4524, 4737, 5557, 5305, 5749, 5318, 6359.

lessees of comparable machines and parts.

From the sum of items (i) to (y), inclusive, deduct depreciation on the original total cost of acquisition by Defense Plant Corporation at the rate of eight percent (8%) per annum from the date of initial use after acquisition by Defense Plant Corporation of such machine or part, except that in the event of sale within ninety (90) days after such initial use no depreciation shall be deducted.

# 3. Section 1390.11 (g) (2) (ii) is amended to read as follows:

(ii) An allowance equal to the freight charge for transportation of such machine or part from the location of the machine or part at the time of purchase

to the plant of the purchaser.

From the sum of items (i) and (ii), deduct depreciation on the original total cost of acquisition by Defense Plant Corporation at the rate of eight percent (8%) per annum from the date of initial use after 'acquisition by Defense Plant Corporation of such machine or part, except that in the event of sale within ninety (90) days after such initial use no depreciation shall be deducted.

This amendment shall become effective June-2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1943.

GEORGE J. BURKE, Acting Administrator.

[F. R. Doc. 43-8620; Filed, May 27, 1943; 4:58 p. m.]

# PART 1404—RATIONING OF FOOTWEAR [RO 17,1 Amdt. 18]

#### SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 17 is amended in the fol-

lowing respects:

1. Section 2.7 (a) is amended by adding after the second sentence the following:

Shoes may be returned by an establishment to the establishment from which they were acquired without the surrender of ration currency in advince, if a proper ration credit is given to the establishment returning them.

This amendment shall become effective June 2, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Directive 1, 7 F.R. 562, Supplementary Directive 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of May 1943.

George J. Burke, Acting Administrator.

[F. R. Doc. 43-8618; Filed, May 27, 1943; 4:59 p. m.]

PART 1405—FERRO-ALLOYS [MPR 258, Amdt. 2]

## CHROME ORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

A new paragraph (e) is added to \$ 1405.114 to read as follows:

(e) Shipment in box cars. If metal-lurgical-chemical chrome ore is shipped in a box car at the request of the buyer, the maximum price, as determined above, may be increased by an amount equal to the difference between the costs of loading such material in a box car and the cost of loading it in a gondola car.

This amendment shall become effective June 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of May 1943.

GEORGE J. BURKE, Acting Administrator.

[F. R. Doc. 43-8622; Filed, May 27, 1943; 4:58 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 12,2 Amdt. 35]

#### COFFEE

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1407.1091 is amended by adding a new item as follows:

Ration period:

Coffee stamp valid during ration period

May 31, 1943 to June 30, 1943, inclusive. Coffee Stamp No. 24

This amendment shall become effective May 31, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10129; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R; Food Dir. 3, 8 F.R. 2005)

Issued this 27th day of May 1943.

George J. Burke, Acting Administrator.

[F. R. Doc. 43-8619; Filed, May 27, 1943; 4:59 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS [MPR 381,3 Amdt. 1]

#### STOCK SCREEN GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 2 (a) is amended by changing the period following the last sentence to a comma and adding: "except the pro-

8 F.R. 6159.

visions of this regulation shall not apply to 'stock screen goods' manufactured outside the continental limits of the United States."

This amendment shall become effective June 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of May 1943.

George J. Burke, Acting Administrator.

[F. R. Doc. 43-8617; Filed, May 27, 1943; 4:57 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A1 Amdt, 30]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order No. 1A is amended in the following respect:

Section 1315.804 (j) (3) is amended to read as follows:

(3) Application for authority to make a transfer under this paragraph shall be made by the transferor and shall state the names and addresses of the transferor and the transferoe and the number, type and grade of tires or tubes to be transferred.

This amendment shall become effective May 27, 1943.

Note: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 27th day of May 1943.

GEORGE J. BURKE, Acting Administrator.

[F. R. Doc. 43-8640; Filed, May 28, 1943; 11:28 a. m.]

#### PART 1340-FUEL

[Rev. MPR 122,3 Amdt. 6]

SOLID FUELS SOLD AND DELIVERED BY DEALERS; ADJUSTABLE PRICING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 122 is amended in the following respect:

1. Section 1340.258 is amended to read as follows:

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>&</sup>lt;sup>1</sup>8 F.R. 1749, 2040, 2487, 2943, 3315, 3571, 3853, 4129, 3949, 4716, 5567, 5589, 5756, 6046.

<sup>&</sup>lt;sup>1</sup>7 F.R. 9002; 8 F.R. 3371.

<sup>&</sup>lt;sup>2</sup>8 F.R. 3400, 3843, 4486, 4519, 4977, 4892, 5318, 5480, 5486, 5818, 5846.

<sup>&</sup>lt;sup>1</sup>7 F.R. 9160, 9392, 9724, 10072, 10836; 8 F.R. 435, 606, 1585, 1628, 1629, 1837, 2030, 2345, 2152, 2670, 2595, 2600, 2710, 3071, 3314, 3521, 3702, 3837, 4179, 4628, 4769, 4849, 5483, 5477, 5665, 6736, 6736.

<sup>&</sup>lt;sup>2</sup>8 F.R. 440, 1200, 3524, 4510, 5632, 6543.

§ 1340.258 Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

This amendment shall become effective June 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681) Issued this 27th day of May 1943.

> GEORGE J. BURKE, Acting Administrator.

[F. R. Doc. 43-8341; Filed, May 28, 1943; 11:28 a. m.]

PART 1340—FUEL [RFS 88,1 Amdt. 103]

PETROLEUM AND PRODUCTS, SCHENECTADY
AREA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

In § 1340,159 (c) (3) a new subdivision (xxiv) is added to read as set forth below:

(xxiv) Schenectady, New York Area. In the Schenectady, New York price area comprising the County of Schenectady, New York and the adjoining towns of Ballston Lake, Burnt Hills, Charlton, Elnora, Galway, Rexford and W. Charlton in Saratoga County, New York, the maximum prices for No. 2 fuel oil shall be as follows:

Gents per gallon.

For delivery into buyer's tank wagons.... 7.2

Tank wagon deliveries to consumers in

This amendment shall become effective June 2. 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of May 1943.

George J. Burke, Acting Administrator.

[F. R. Doc. 43-8642; Filed, May 28, 1943; 11:28 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PROD-UCTS, PRINTING AND PUBLISHING

[MPR 30,1 Amdt. 4]

#### WASTEPAPER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 30 is amended in the following respects:

1. In Appendix A, paragraph (a) of § 1347.14, the grades and maximum prices of "Old corrugated containers" and "Old Kraft corrugated containers" are amended to read as follows:

Grades: Maximum prices per short ton
f.o.b. point of shipment

Old corrugated containers 623.60 Old 100% Kraft corrugated containers 5 35.60

2. Footnotes 4, 5 and 28 or § 1347.14 (a) are amended to read as follows:

"Old corrugated containers" contist of used corrugated or colld fiber containers, including any combination or mixture of "jute", double-lined Kraft, and 100° Kraft. Optional method of packing—recurely tied bundles.

"Old 100% Kraft corrugated containers" consist of only used Kraft corrugated or solid fiber containers of 100% sulphate fiber content throughout. If any passing of this grade contains materials, in any degree, other than those containing 100% sulphate fiber, such passing must not be cold at a price in excess of the maximum price of "Old corrugated containers". Each percon possing "Old 100% Kraft corrugated containers shall securely affix a tag on each bale of such grade when shipped so that it is clearly visible and containing castly readable letters stating the name and address of the passic and that such bale contains only "Old 100% Kraft corrugated containers".

consists of old, soft, natural color Kraft" consists of old, soft, natural color Kraft papers completely free from pagers other than those containing 100% sulphate fiber. Each person packing "Triple corted No. 1 brown soft Kraft" shall securely affix a tag on each hale of such grade when shipped so that it is clearly visible and containing eachly readable letters indicating the name and address of the packer and that such bale contains only "Triple sorted No. 1 brown soft Kraft".

This amendment shall become effective May 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of May 1943.

George J. Burke,

Acting Administrator.

[F. R. Doc. 43-8643; Filed, May 23, 1943; 11:23 a. m.]

PART 1364—Fresh, Cured and Camied Meat and Figh

IMPR 355.2 Amdt. 41

RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB
AND LIUTTON CUTS

A statement of the considerations involved in the issuance of this

Amendment No. 4 to Maximum Price Regulation No. 355 has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 355 is amended in the following respects:

- 1. Section 2 (e) is added and reads as follows:
- (e) The appropriate regional office of the Office of Price Administration and such other offices as may be authorized by the appropriate regional office may, upon a finding by the Regional Administrator that any price or prices established in this Regulation for zone 2, 3 or 5 will increase the level of prices prevailing in a specific area within the Region, issue an order designating such area, and suspending the effectiveness of any price or prices herein established.

This amendment shall become effective as of May 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1943.

George J. Burke, Acting Administrator.

[F. R. Doc. 42-8045; Filed, May 23, 1943; 11:23 a. m.]

PART 1364—FRESH, CUEED AND CANTIED -MEAT AND FISH

[Rov. MPR 169,1 Amdt. 14]

DUEF AND VEAL CARCASSUS AND WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.452 (m) (2) is amended by changing the sentence immediately following the table of prices to read as follows:

On contracts made between April 23, 1943 and June 7, 1943, inclusive, for deliveries up to and including June 23, 1943, the seller may add \$1.00 per cwt. to the applicable boning plant price.

- 2. Section 1364.453 (b) is amended to read as follows:
- (b) For all beef carcasses and/or beef wholesale cuts and/or other meat items subject to this Subpart B delivered in a straight or mixed carload shipment or sold as part of a straight or mixed carload sale, the saller shall deduct \$0.75 per cwt. from the applicable zone price, except that this provision shall not apply to deliveries made to a war procurement agency during the period April 22, 1943 to June 7, 1943, inclusive.

This amendment shall become effective as of May 24, 1943.

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>&</sup>lt;sup>1</sup>8 F.R. 3718, 3795, 3841, 3845, 4130, 4131, 4252, 4334, 4783, 4840, 4918, 5386, 6044, 6120.

<sup>17</sup> FR. 1200, 1601, 2300, 2132, 2163, 3576, 3775, 4586, 6949, 9732; 8 FR. 3615, 28 FR. 4423, 4922, 6214, 6423.

<sup>98</sup> P.E. 5937, 4789, 4844, 5170, 5478, 5634, 6139, 6427.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1943.

GEORGE J. BURKE, Acting Administrator.

[F. R. Doc. 43-8644; Filed, May 28, 1943; 11;29 a. m.]

PART 1377-WOODEN CONTAINERS [MPR 320,1 Amdt. 4]

EASTERN AND CENTRAL WOODEN AGRICUL-TURAL CONTAINERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

1. Section 1377.206 is amended by adding a new paragraph (d) to read as follows:

(d) Sales of certain types of containers in quantities of less than 1,000. The maximum prices which may be charged for till baskets and berry cups in quantities of less than 1,000 are those contained in Table VIII, § 1377.216 (b). These prices are applicable in all zones and are not subject to any mark-ups or additions.

2. In § 1377.208 the first sentence of the second unlettered paragraph is amended by inserting the phrase, "produced by the manufacturer who is computing a price under this section", immediately following the phrase "of the most similar container".

3. In § 1377.216 (b), Table II, the item, "1 bu. octagon covers", is amended by adding "—without loops", so that it now reads:

1 bu. octagon covers—without loops

4. In § 1377.216 (b), Table VII is amended by adding the following items under the proper headings:

Container description	Units	Approxi- mate weight (lbs.)	Minimum -truckload	Zone 7
1 bu. market box 17½" x 17½" x 7½c", without tops, ends ½", Sides & bottoms ¾", Variation ½c". ½ bu. market box 1236" x 1236" x 7½c", without tops, ends ½", Sides & bottoms ¾", Variation ½c".	Hundred	4} <u>4</u> 3 <u>1</u> 4		\$17.50 11.50

 In § 1377.216 (b), Table VII, items 2 and 7, 11/8 bu. apple box and 11/8 bu. apple box parts, respectively, are amended so that the specifications now reading "11½" x 13¾" x 16½"" in each of the items shall read: "11½" x 13¾" x 16"."
6. Section 1377.216 (b) is amended by

the addition of Table VIII:

MAXIMUM PRICES FOR SMALL QUANTITY SALES

Container description	Per	Per	Per
	100,	100,	100,
	lots 1	lots 500	lots/1
	to 499	to 999	to 999
1 Qt. American Berry Cups, Predried. 1 Qt. American Berry Cups, Wet. 1 Qt. American Berry Cups, Tight Corners. 1 Qt. Hallack Berry Cups. 1 Et. American Berry Cups, Predried. 1 Pt. American Berry Cups, Wet. 1 Pt. Oblong Berry Cups. ½ Pt. American Berry Cups. ½ Pt. American Berry Cups. ½ Pt. Oblong Berry Cups. ½ Pt. Oblong Berry Cups. 2 Qt. Till Baskets. 2 Qt. Till Baskets. 3 Qt. Till Baskets.	\$1. 25 1. 20 1. 35 1. 35 1. 20 1. 15 1. 25 1. 25 1. 25	\$0.05 .90 1.05 1.05 .90 .95 .95	\$1.85 2.15 2.45 2.70

This amendment shall become effective June 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871) ii

Issued this 27th day of May 1943.

GEORGE J. BURKE, Acting Administrator.

[F. R. Doc. 43-8646; Filed, May 28, 1943; 11:28 a. m.]

## PART 1340-FUEL [MPR 120; Amdt. 54]

BITUMINOUS COAL DELIVERED FROM MINE OR

PREPARATION PLANT

## Correction

In § 1340.224 (b) (1) (i) of the document appearing on page 6443 of the issue for Tuesday, May 18, 1943, a subheading under the heading "District No. 13" appearing above the table should be added to read, "Subdistricts Nos. 1 and 2". The third item under No. 20 of the prices and size group numbers should be 355.

The correct version of the table in paragraph (b) (6) (i) is as follows:

DISTRICT No. 13 SUBDISTRICTS NOS. 3, 4 AND 5

· Prices and size group Nos. Subdistricts Nos. 3 and 5, Mine index No. Domestic and industrial 14 1 2 3 5 6 9 10 11 12 13 8 330 325 295 320 330 320 305 320 305 305 335 305 245 275 270 410 370 375 410 405 375 315 335 315 305 305 305 275 300 285 400 385 335 275 295 285 265 315 275

18 F.R. 1885, 3529, 3843, 4732.

PART 1864-FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 169, Amdt. 11]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

#### Correction

In the document appearing on page 6427 of the issue for Tuesday, May 18, 1943, the bracketed heading should read, "Rev. MPR 169, Amdt. 11"

PART 1364-FRESH, CURED AND CANNED MEAT AND FISH

[MPR 394]

RETAIL CEILING PRICES FOR KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS

#### Correction

In the bracketed head directly above the table in Article II, section 19 (d) of the document appearing on page 6364 of the issue for Saturday, May 15, 1943, the reference to Maximum Price Regulation 374 should be to Maximum Price Regulation 394.

PART 1418-TERRITORIES AND POSSESSIONS [MPR 373, Amdt. 1]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

#### Correction

In Schedule 2 of section 41 of the document appearing on page 6359 of the issue for Saturday, May 15, 1943, the ninth item should read:

Condiments and sauces\_ .84

Part 1499—Commodities and Services [SR 14 to GMPR, Amdt. 174]

TRANSPORTATION SERVICES WITHIN CHICAGO METROPOLITAN AREA

## Correction

In § 1499.73 (a) (103) (ii) of the document appearing on page 6439 of the issue for Tuesday, May 18, 1943, the reference to the National War Labor Case number should be to "No. 11-153C".

TITLE 33-NAVIGATION AND NAVI-GABLE WATERS

Chapter I-Coast Guard, Department of the Navy

PART 6-SECURITY OF PORTS AND THE CON-TROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

## MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in section 1, Title II of the Esplonago Act approved June 15, 1917, 40 Stat. 220, as amended by the Act of November 15, 1941, 55 Stat. 763 (U. S. C. Title 50, Sec. 191, 191a), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419), and November 1, 1941 (6 F.R. 5581), respectively, the reg-

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

ulations relating to the control of ves-sels in the navigable waters of the United States, are hereby amended as

Add the following sections to Subpart C:

§ 6.5-9 Patuxent River; Restricted Area, Naval Mine Warfare Test Station, Solomons, Maryland—(a) The area— (1) Point Patience Area. All waters of the Patuxent River between shore lines, from a line drawn northeast-southwest true through Buoy C-9, to a line drawn northeast-southwest true through Buoy C-7.

(2) Sandy Point Area. All waters of the Patuxent River between shore lines, from a line drawn northeast-southwest true through Buoy C-7 to a line from Sandy Point to Buoy N-4 thence south-

west true to the shore line.

(b) The regulations. (1) No vessel shall enter or remain in the Point Patience Area when in daylight red flags are flying or at night when red lights are displayed at the end of Pier 1, a straight 600-foot pier about 900 yards easterly from Point Patience Light, and Pier 2, a T-Pier 600 feet long with T of 600 feet located about 575 yards northerly from Point Patience Light.

Note: The Inspector of Ordnance in Charge, Naval Mine Warfare Test Station, Solomons, Maryland, in scheduling operations will give all practicable consideration to the interests of commercial navigation and the food fishing industry.

- (2) All traffic in the Sandy Point Area must proceed as close as possible to the northeast shore (Solomons Island) when any boats or barges flying red flags or displaying red lights are operating in the area. Traffic so proceeding will do so at its own risk.
- (3) These regulations shall be enforced by the Captain of the Port and by the Commandant of the Fifth Naval District and such agencies as he may designate.
- § 6.3-76 Block Island Sound Restricted Area-(a) The area. Northward of a line running from Southwest Point, Block Island, to Montauk Point; eastward of a line from Montauk Point to Weekapaug Point, and westward of a line from Charlestown Inlet to Sandy Point including the western side of Block Island to Southwest Point.

(b) The regulations. (1) Anchoring or loitering within the above described

area is prohibited.

(2) Fishing in any manner, such as dragging, trawling, purse seining, line fishing, is prohibited, except that fish traps may be installed and maintained under supervision of the appropriate U.S. Naval and Coast Guard authorities within the following area: Beginning at a point on line of bearing 242° True and distant 865 yards from the outer breakwater light at Great Salt Pond entrance and running 242° True for a distance of 1,715 yards, thence 189.5° True for a distance of approximately 1,000 yards to a point on line of bearing 237° True from the inner breakwater light at Great Salt Pond entrance, thence 057° True for a distance of approximately 2,000 yards, thence 000° True to the point of origin.

Note: (1) Vessels engaged in carvicing fich traps as permitted above will moor to the fich traps and are prohibited from anchoring. (2) Vessels found anchored or with fiching gear overboard (except as permitted above) will be required to buoy and clip their anchors

§ 6.5-40 "Seaplane Operating Area" in the vicinity of Harrey Necl., Perquimans River, North Carolina-(a) Restricted area. Beginning at a point known as Blount Point on the south bank of the Perguimans River and proceeding in a straight line to the eastern side of the mouth of Canaan Cove on the north shore of Perquimans River; thence, following the shore line of the north bank of the Perquimans River to Reed Point; thence, 168° true to Reed Point Light; thence, 263° true to Nun Buoy No. 2 off Drummond Point; thence, in a northerly direction 5° true to the mouth of Minn Creek, and from the mouth of Minn Creek following the shore line around Harvey Point to the point of origin.

(b) The regulations. (1) Boats without lights shall be prohibited from operating in that portion of the Pergulmans

River which is restricted.

(2) No vessels shall at any time moor or anchor within the Seaplane Operating

(3) No fishing, oystering, clamming, crabbing, or any other activities will be permitted at any time within the Sea-

plane Operating Area.

(4) All vessels moving in the Scaplane Operating Area shall immediately proceed to leave the area when warned by aircraft employing the buzzing method, which consists of low flights by an airplane and repeated opening and closing of its throttle.

(5) Vessels transitting the restrictedarea shall confine their movements as close to the north shore as possible.

- (6) These regulations shall be enforced by the Captain of the Port, Norfolk, Virginia, and by the Commanding Officer. Harvey Neck Naval Air Station, and such responsible agent or agents as they may jointly designate.
- § 6.7-12 Waters of Tampa Bay, Florida; U. S. Army Air Corps, MacDill Field, Florida, small arms firing range, Tampa Bay, Florida-(a) The danger area. Beginning at Little Mangrove Point at longitude 82°32′52" west, longitude 27° 51′06" north, thence southerly and westerly 2930 yards, more or less, to longitude 82°33′55″ west, latitude 27°50′00″ north, thence southerly and easterly 5150 yards, more or less, to longitude 82°33'29" west, latitude 27°47'27" north, thence easterly and northerly 3780 yards, more or less, to longitude 82°31'25" west, latitude 27° 47'46" north, thence northerly and easterly 5100 yards, more or less, to the shore line at longitude 82°29'10" west, latitude 27°49'20" north, thence northerly and westerly along the shore line to the point of beginning. The area will be marked by suitable boundary signs or buoys.
  (b) The regulations. (1) Vessels and
- other watercraft are prohibited from entering the restricted area at all times.
- (2) Advance notice shall be given of the date on which the first firing practice

shall begin. At intervals of not more than three months thereafter, notice will be sent out that firing practice is continuing. Such notices will appear in local newspapers and in the "Notice to Mariners".

(3) These regulations will be enforced by the Captain of the Port and by the Commanding Officer, MacDill Field, Tampa, Florida, and such agencies as he may designate.

§ 6.7-17 Waters of Crescent Lake, Florida; U. S. Navy Dive Bombing Range—(a) The danger zone. The danger zone consists of all of Crescent Lake, from its entrance to Dunns Creek on the north, to Dead Lake and Haw Creek on the south, Flagler and Putnam Counties, Florida.

(b) The regulations. (1) Diving bombing practice on a maneuverable target boat will be conducted during all daylight hours, and may be conducted any night from sunset until four hours after sunset, at which times no vessel or other craft shall navigate any portion of the lake, except as provided in paragraph (b) (4).

(2) Notices of the bombing practice will appear in the local newspapers and "Notice to Mariners" at intervals of not

more than three months.

(3) Prior to the conduct of each bombing practice, a positive check of the proposed operating area will be made by both aircraft and the target boat, to insure that there are no surface craft in the immediate area. During night operations a pistol firing red will indicate "cease bombing". A pistol firing green will indicate "area all clear for bombing".

(4) These regulations shall not deny traverse of portions of the danger area by commercial craft proceeding on normal sailing lines. In case of the presence of any such vessel within one mile of the target boat, the officer in charge of dive bombing operations shall cause the cessation or postponement of such practice until the vessel shall have cleared the part of the area in which it might be endangered by falling projec-tiles. The vessel shall proceed on its normal course and not delay its progress.

(5) The regulations shall be enforced by the Captain of the Port and by the Commanding Officer, United States Naval Air Station, Daytona Beach, Florida, and such agencies as may be designated.

§ 6.6-22 Waters of the Atlantic Ocean: U. S. Naval Air Station, Jacksonville, Florida, gunnery and bombing target area, north of St. Marys Entrance.—(2) The danger zone. The gunnery and bombing target area is located about 2.5 nautical miles offshore from Cumberland Island, Georgia, and 7.5 nautical miles north of the entrance to Fernandina Harbor, Florida, in a circle having a radlus of one nautical mile, with its center at north latitude 30°50'03" and west longitude 81°23'01". The military oper-ations which will be carried on in the area consist of firing at a target raft cluster from weapons mounted in airplanes flying at various altitudes, and the dropping of practice aerial bombs from airplanes on points within the area.

The target cluster will be located at the center of the danger area and there will be no additional marking of the area.

(b) The regulations. (1) No vessel or other craft shall enter or remain within the area designated during its use for target practice except as provided in

paragraph (b) (4).

(2) Bombing and target practice will take place in the area at frequent and irregular intervals throughout the year, regardless of season, and advance notice will be given of the date on which the first of such activities will begin. At intervals of not more than three months thereafter, notice will be given that practice is continuing. Such notices will appear in the local newspapers and in "Notice to Mariners."

(3) Prior to conduct of each practice, the danger area will be patrolled by naval aircraft which will warn navigation to leave the area, by "zooming" a safe distance to the side. Upon receiving this signal any watercraft within the danger zone shall immediately leave it and no craft shall enter the area until

practice has ceased.

(4) These regulations shall not deny access to or egress from harbors contiguous to this danger area by regular cargo-carrying vessels, nor shall they deny traverse of portions of the danger area by regular cargo-carrying vessels proceeding on established steamer lanes. In case of the presence of any such vessel in the danger area, the officer in charge of gunnery and bombing operations shall cause the cessation or postponement of fire until the vessel has cleared the area. The vessel shall proceed on its normal course and not delay its progress.

(5) These regulations will be enforced by the Captain of the Port and by the Commandant, United States Naval Air Station, Jacksonville, Florida, and such other agencies as he may designate.

Amend § 6.3-20, paragraphs (c) and (d), to read as follows:

(c) Anchorage No. 20-B. To the southward of Pennsylvania Railfoad Greenville Terminal dredged channel to the east of a line 24° on a range from the siren on the Statue of Liberty pier and the light on the north pier of St. George Lighthouse Depot; to the north of a line bearing 121° on range from northeast corner of Bayonne Terminal and the north corner Pier 2, Bay Ridge, Brooklyn; to the west of a line bearing 25° extending from the southeast corner Pier 9, Staten Island to Greenville Channel Bell Buoy "29"; to the south of a line bearing 124° extending from the northeast corner of the south pier Pennsylvania Railroad Greenville yard tostubby chimney in Bay Ridge, Brooklyn.

(d) Explosive anchorage. The portion of Anchorage 20-A and 20-B located eastward of a line bearing 204.5° true from the east end of the east landing pier on Bedloe's Island through Bayonne Terminal Lighted Buoy "1", Robbins Reef Lighted Gong Buoy "27", and Coast Guard Depot North Dock Light; and south of the National Docks at Black Tom Island is designated as an explosive anchorage. The Captain of the

Port may authorize the use of this explosive anchorage by vessels loading or discharging explosives and when laden with explosives when he finds that the interests of commerce and national war effort will be promoted thereby and that the interest of safety will not be prejudiced thereby. No vessel shall occupy this anchorage without a permit from the Captain of the Port.

(1) No vessel shall anchor between Ellis Island and the piers of the Central Railroad of New Jersey, or in the dredged channel approaches to this space, or the piers and wharves of the railroad, or in the dredged channel approaches to the National Docks at Black Tom Island, to Bedloe's Island, to the Greenville, Claremont and Bayonne Terminals, or in the New Jersey Pierhead Channel, or near the entrances to said channels so as to obstruct the approaches or interfere in any way with the free navigation of the same. The portion of Anchorage No. 20-A, north of the National Docks at Black Tom Island, and the portion of Anchorage No. 20-B which are east of a line ranging 204.5° true and tangent to the east end of the east landing pier of Bedloes Island through Bayonne Terminal Lighted Buoy "1", Robbins Reef Lighted Gong Buoy."27" and Coast Guard Depot North Dock Light, are set aside as temporary anchorages for vessels arriving in and leaving port. No vessel shall occupy these anchorages for a longer period than 72 hours unless a permit is obtained from the Captain of the Port for that purpose. A

Amend § 6.3-20, paragraph (1), sub-paragraph (1), to read as follows:

(1) Vessels arriving at quarantine and awaiting inspection may anchor temporarily to the southerly of a line bearing 84.30° and ranging from tower on ferry racks, St. George, Staten Island, to the southwest corner of Pier 4, Brooklyn; to the eastward of the established Staten Island Anchorage limits; to the westward of a line bearing 173° and ranging from a point 1,400 yards, on a bearing 84.30° from tower on ferry racks, St. George, Staten Island to a point 92° ranging from Pier 20, Staten Island; to Spire on Visitation Convent, Bay Ridge, Brooklyn, thence 166°; to the northerly of a line bearing 269° and ranging from the north corner of Fort Lafayette. As soon as cleared by the quarantine officer, vessels must vacate this temporary anchorage and, if detained in quarantine, must at once move into the quarantine anchor-

Amend § 6.3-20, paragraph (e) to read as follows:

(e) Anchorage No. 21. To the southward of a line passing through Claremont Terminal Lighted Buoy "1", the easterly white spar buoy "A" marking the north limit of the anchorage ground and the middle point of the front of the New York Dock Company Pier No. 41 (Merchants Stores); to the westward of Red Hook and Bay Ridge Channels marked by anchorage and channel buoys along the western edge of the dredged channel; to the eastward of a line

through Bay Ridge Channel Junction Lighted Bell Buoy to Gowanus Flats Lighted Bell Buoy "24"; northerly therefrom, to the eastward of a line ranging 28° from the southeast corner of city pier No. 16, Staten Island, to the light at southwest end of Governors Island, through Gowanus Flats Lighted Bell Buoys "26", "28" and "30".

Substitute the following section in lieu of "Note 2: Cape Cod Canal", which follows § 6.1-20 (k):

§ 6.1–23 Inland Waterway from Cape Cod Bay to Buzzards Bay, Massachusetts, Cape Cod Canal; pilot requirements. All United States vessels of 100 gross tons and over and all foreign vessels, when traversing the Cape Cod Canal, shall be required to have on board an accredited pilot approved by the Captain of the Port.

Add the following sections to Subpart C:

§ 6.4-16 Inland Waterway from Delaware River to Chesapeake Bay, Delaware and Maryland. Chesapeake and Delaware Canal; pilot requirements. All United States vessels of 100 gross tons and over and all foreign vessels, when traversing the Chesapeake and Delaware Canal, shall be required to have on board an accredited pilot approved by the Captain of the Port.

§ 6.5-23 Chesapeake Bay; Restricted Area, U. S. Navy—(a) The area. That portion of Chesapeake Bay between latitude 38°10' and latitude 38°30'.

(b) The regulations. (1) The area is open to navigation except when naval maneuvers are in progress, when no vessel or other craft shall enter or remain within the area except as provided in (2).

(2) Naval maneuvers will take place at intermittent periods, during which times the area will be patrolled. A square red flag during the day or red light at night shall be flown or exposed in clearing the restricted area.

(3) Deep draft vessels bound through the area may proceed at all times but must keep as close to the eastern side of the deep water area as possible when

so instructed.

(4) These regulations shall be enforced by the Captain of the Port and by the Commandant, Fifth Naval District, Norfolk, Virginia.

Amend § 6.3-15, paragraph (e) to read as follows:

(e) Anchorage No. 19 (Naval Anchorage). An anchorage is defined and established for the mooring of naval vessels northward of the south side of West 70th Street, Manhattan, prolonged; eastward of the east channel line of the Federally improved Weehawken-Edgewater channel, said east channel line being extended to a point opposite West 156th Street; thence eastward of a line bearing 17° true ranging between the end of the pier at the foot of West 134th Street and a point on the George Washington Bridge 250 yards westward of the air beacon on the east bridge tower; and southward of said bridge: Provided, That, in order to give free passage for

ferry boats, no vessel shall anchor within a limit of 300 yards of the line of the West 125th Street, Manhattan to Edgewater, N. J. ferry.

Add the following sections to subpart C:

§ 6.3-71 Execution Rock Anchorage in Long Island Sound, New York—(a) The Anchorage Area. Ships may an-chor to the westward of Execution Rock and to the north of a line bearing 79° and on range east point of Hart'Island and Gangway Rock Light; to the west of a line bearing 33½° and extending from Gong Light southeast corner of Hart Island to Execution Rock Light, thence true north; to the south of a line bearing 871/2° from chimney Davenport Neck through Emerald Rock Can Buoy; to the east of a line bearing 28° from northwest corner Hart Island to an intersection point of a line due east of ventilator on Huckelberry Island thence due north.

§ 6.3-72 Hempstead Bay, Long Island Sound, New York—(a) The anchorage Vessels may anchor in Hempstead Bay to the West of a line bearing 3161/2° and extending from Matinicock Point to east end of Parsonage Point, a distance of 1,000 yards; to the south of a line bearing 59° ranging on a line from Sands Point Light to a point intersecting the eastern limits 1,000 yards from Matinicock Point; to the east of a line bearing 316° ranging from Hempstead Harbor breakwater light to Edgewater Point breakwater light.

(b) Explosives anchorage. The entire anchorage described in paragraph (a) is designated as an explosives anchorage. The Captain of the Port may authorize the use of this explosive anchorage by vessels loading or discharging explosives or when laden with explosives when he finds that the interests of commerce and national war effort will be promoted thereby and that the interest of safety will not be prejudiced thereby. No vessel shall occupy this anchorage without a permit from the Captain of the Port.

Add the following section under Subpart C:

§ 6.8-49 Coosa and Tallapoosa Rivers, Alabama-(a) The area. The following waters of the Coosa and Tallapoosa Rivers, Alabama, are hereby designated as restricted areas:

(1) All waters of the Coosa and Tallapoosa Rivers within 2,500 feet above and 1,250 feet below each of the following river structures operated by the Ala-

bama Power Company:

Do. Jordan Dam\_\_\_\_\_ Martin Dam\_\_\_\_\_ Tallapoosa River. Tallassee Dam\_\_\_\_\_ Do. Thurlow Dam ....

(b) The regulations. (1) These regulations shall be enforced by the Captain of the Port of Mobile, Alabama, with the cooperation of such officers and employees of the Alabama Power Company stationed at the aforementioned river structures as he may designate to assist him.

(2) No vessel of any kind except vessels operated by the United States shall enter, navigate, anchor, or moor within the restricted areas without first obtaining permission to do so from the Captain of the Port of Mobile, Alabama, or persons duly designated by him.

(3) The aforesaid restricted areas will be designated by signs, buoys, and other markings placed or posted in conspicu-

ous and appropriate places.

Amend § 6.13-10 Wrangell Narrows, Alaska: use, administration, and navigation, as follows:

By renumbering this section from § 6.13-10 to § 6.13-8, and

By revising paragraph (b) (2) to read as follows:

(2) For towboats drawing more than 9 feet, application will be made to the U. S. Engineers Office, Seattle, Washington, for authority to use the ship channel for each trip. Regulation of vessels in the Wrangell Narrows channel shall be subject to the jurisdiction of the Captain of the Port, Ketchikan, Alaska.

FRANK KNOX. Secretary of the Navy.

Approved: May 27, 1943.

FRANKLIN D ROOSEVELT The White House.

[F. R. Doc. 43-8650; Filed, May 28, 1943; 11:49 a. m.]

#### TITLE 43-PUBLIC LANDS: INTERIOR

Chapter I—General Land Office [Circular No. 1536]

PART 257-LEASE OR SALE OF TRACTS, NOT EXCEEDING 5 ACRES, FOR HOME, CABIN, CAMP, HEALTH, CONVALENCENT, RECREA-TIONAL OR BUSINESS SITES

In order to show the change in procedure authorized by the Secretary of the Interior by Order No. 1799 of March 19, 1943, the regulations governing the lease or sale of five-acre tracts under the act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), contained in Part 257 (Circular No. 1470, June 10, 1940), are amended as follows:

1. In § 257.9 Issuance of Icase the last sentence is amended to read:

When the proposed lease is properly executed and returned to the General Land Office, if all be found regular, a lease will be issued.

2. In § 257.22 Renewal of lease; preference rights the first sentence is amended to read:

Upon the filing of an application for the renewal of a lease, not more than six months or less than sixty days prior to its expiration, the lessee will be accorded the preference right to a new lease, upon such terms and for such duration as may be fixed by the Commissioner, if the terms of the lease have been complied with and it is determined that a new lease should be granted.

3. In § 257.23 Assignment of lease and subletting the words "Secretary of the Interior" are deleted and the words

"Commissioner of the General Land Office" are substituted therefor.

4. In the first sentence of § 257.24 Cancellation of lease the words "Secretary of the Interior" are deleted and the words "Commissioner of the General Land Office" are substituted therefor, and the last sentence is amended to read:

Upon the cancellation, pursuant to a final administrative determination, the lease will terminate and be of no further force or effect.

5. In § 257.25 Purchase, lease, restrictions the first sentence is amended to

No person shall be permitted to purchase or lease more than one tract under the provisions of this act, except upon a satisfactory showing warranting such

6. A new section § 257.26 Appeals, is added, to read:

§ 257.26 Appeals. Any party aggrieved by any action of the Commissioner may appeal to the Secretary of the Interior pursuant to the Rules of Practice (43 CFR, Part 221).

7. Form 4-776 "Lease Under Five-Acre Law is amended so as to conform to the copy attached.

FRED W. JOHNSON, Commissioner.

\_Approved: May 26, 1943. OSCAR L. CHAPLIAN. Assistant Secretary.

[P. R. Doc. 43-8626; Filed, May 23, 1943; 9:54 a. m.l

## TITLE 46-SHIPPING

Chapter IV—War Shipping Administration [General Order 24, Supp. 4,2 Corrections]

PART 310-MERCHART MARINE TRAINING

APPOINTMENT AND TRAINING OF CADETS IN U. S. MERCHANT MARINE CORPS.

Paragraph 1 of General Order 24, Supp. 4 should read:

1. Effective May 10, 1943, paragraph (d) of § 310.54 Eligibility lists, as amended (Supp. 2), is revoked.

In paragraph 3 of General Order 24, Supp. 4, the first sentence in paragraph (a) of § 310.57 Pay should read:

On the last day of each month, and when detached, Cadets will receive pay at the rate of \$55 per month from the War Shipping Administration, while attached to the Academy, Basic Schools, or places of special shore training.

By order of the War Shipping Administration.

[SEAL]

A. J. WILLIAMS, Assistant Secretary.

MAY 27, 1943.

[P. R. Doc. 43-8911; Filed, May 27, 1943; 4:06 p. m.]

<sup>\*</sup>Filed as part of the original document. \*8 P.R. 6367.

## Notices

# DEPARTMENT OF THE INTERIOR. Bituminous Coal Division.

[Docket No. B-360]

PROVIDENCE COAL MINING COMPANY ORDER RESTORING CODE MEMBERSHIP

A written complaint dated October 8, 1942, having been filed on October 12, 1942, by the Bituminous Soal Producers Board for District No. 9, complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging wilful violation by Providence Coal Mining Company, Code Member, Providence, Kentucky, of the Bituminous Coal Code or rules and regulations thereunder; and

An order having been issued herein on April 29, 1943, revoking and cancelling the Code Membership of said Code Member, effective fifteen days from the date thereof, and providing, pursuant to section 5 (c) of the Act, for the payment to the United States of a tax in the amount of \$653.17 as a condition precedent to its restoration to membership in the Code; and

It appearing that said Code Member has paid to the Collector of Internal Revenue at Louisville, Kentucky, the sum of \$653.17, the amount specified in said order dated April 29, 1943, as a condition precedent to the restoration of its Code Membership; and that application for such restoration has been made;

Now, therefore, it is ordered, That membership in the Code of Providence Coal Mining Company be, and it hereby is, restored as of May 14, 1943.

Dated: May 26, 1943.

[SEAL]

Dan H. Wheeler, Director.

[F. R. Doc. 43-8632; Filed, May 28, 1943; 10:45 a. m.]

# OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment to Vesting Order 177]

EMPIRE IMPORT AND EXPORT CORPORATION

Whereas, pursuant to Vesting Order Number 177 of September 28, 1942, the undersigned vested all of the issued and outstanding capital stock of Empire Import and Export Corporation, particularly described in such order as follows:

All of the capital stock of Empire Import and Export Corporation, a New York corporation, New York, New York, which is a business enterprise within the United States, consisting of 100 shares of no par value common capital stock, the names and last known addresses of the registered owners of which, and the number of shares owned by them respectively, are as follows:

Names and last known addresses: shares
Katsuji Onishi (allen detention camp). 50
Charles Cornelius Drew, New York, New

York, holding for the benefit of Katsuji Onishi (alien detention camp) \_\_ 5

Total \_\_\_\_\_\_ 100

Whereas, further examination of the Minute Book, Articles of Incorporation and Stock Certificates Register of Empire Import and Export Corporation has disclosed that the common stock of the corporation has a par value of \$100 per share-and that the total of 100 common shares issued and outstanding are registered in the name of K. Onishi, and that none of the said shares are registered in the name of Charles Cornelius Drew or in the name "Katsuji Onishi";

Whereas the undersigned found in said Vesting Order Number 177 that the said Empire Import and Export Corporation is a New York corporation which is a business enterprise within the United States and is a national of a designated enemy country (Japan) and that Katsuji Onishi is a national of a designated enemy country (Japan);

Whereas the said Katsuji Onishi is also known as K. Onishi;

Now, therefore, Vesting Order Number 177 of September 28, 1942 is hereby amended as follows and not otherwise:

By deleting all of the language which is quoted from said Vesting Order Number 177 within quotation marks in the first paragraph of this amendment hereinabove, and substituting therefor:

All of the capital stock of Empire Import and Export Corporation, a corporation organized under the laws of the State of New York and a business enterprise within the United States, consisting of 100 shares of \$100 par value common capital stock registered in the name of and owned by K. Onishi.

All other provisions of said Vesting Order Number 177 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on May, 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian,

[F. R. Doc. 43-8585; Filed, May 27, 1943; 11:52 a.m.]

[Amendment of Vesting Order 600]

HEINRICH WILHELM OSCAR DUVINAGE, ET AL.

Re: Real property in Queens County, New York, interests in which are owned by German citizens.

Vesting Order Number 600 of December 30, 1942, is hereby amended as follows and not otherwise:

By deleting the word "fifty" immediately following the words "thence Northerly parallel with the said Easterly line of Cedar Avenue", and inserting in lieu thereof the word "twenty-five", which said word "fifty" appears in Exhibit B attached to said Order and made a part thereof.

All other provisions of such Vesting Order Number 600 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed. Executed at Washington, D. C., on May 21, 1943.

ISEALI LEO T. CROWLEY,

Alien Property Custodian.

[F. R. Doc. 43-8586; Filed, May 27, 1943; 11:52 a. m.]

[Amendment to Vesting Order Number 679]
Rene Alphonse Dufour and Henri Leduc

Re: Patents of Rene Alphonse Dufour and Henri Leduc and contractual interests related thereto.

Whereas Pursuant to Vesting Order Number 679 of January 18, 1943, the undersigned vested (1) certain patents described in such order and (2) the interests of the owners of said patents in and to an option agreement between such owners and H. H. Giodvad Grell, a citizen of the United States residing at New York, New York; and

Whereas It was not intended by such order to vest the interest of said H. H. Giodvad Grell in such option agreement or to disturb in any way his right to exercise such option or to affect adversely in any way any right, title, interest or privilege he might have as a result of having exercised such option;

Now, therefore, Vesting Order Number 679 of January 18, 1943, is hereby amended by changing to a semicolon the period which follows the words "in the interest of and for the benefit of the United States" appearing therein, and by inserting immediately after such semicolon the words:

Provided, however, That the property herein vested shall not include any right, title or interest of said H. H. Giodvad Grell in and to the aforesaid option agreement, nor shall such vesting disturb in any way the right of said H. H. Giodvad Grell to exercise such option or affect adversely in any way any right, title, interest or privilege he might have as a result of having exercised such option.

All other provisions of such Vesting Order Number 679 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratifled and confirmed.

Executed at Washington, D. C. on February 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-8595; Filed, May 27, 1913; 11:59 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[Order 379 Under MPR 188]

· National Pressure Cooker Co., et al.

APPROVAL OF MAXIMUM PRICES

Order No. 379 under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Maximum prices for sales of new enameled steel pressure canners.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, It is ordered:

(a) The maximum selling prices for new guaranteed enameled steel pressure canners manufactured by the National Pressure Cooker Company, Eau Claire, Wisconsin, the Burpee Can Sealer Company, Barrington, Illinois, and the Wisconsin Aluminum Foundry Company, Manitowoc, Wisconsin, shall be as follows:

SCHEDULE OF MAXIMUM SELLING PRICES

	National	Wicconsin	Burpes
Manufacturer to Jobber (f. o. b. fac- tory)  Manufacturer to Retailer (f. o. b. factory):	\$6, 95	<b>\$7. 4</b> 5	\$7.95
In quantities of 2,000 or more	7.95	8.20	8.75
In quantities of 100 to 1,999 In quantities of less than 109	8.34 9.27	8.95 9.93	9.54 10.69
Jobber to retailer: Except in Far Western Zone.	9,27	9.93	10.60
In Far Western Zone (f. o. b. sell- er's city)	9.67	10.33	11.0)
Retailer to consumer: Except in Far Western Zone	13, 90		15.90
In Far Western Zone	14.50	15. 50	16.50

(b) "Guaranteed pressure canners" are those which bear a statement of guarantee by the manufacturer in the following form:

MANUFACTURER'S GUARANTEE TO ALL PURCHASERS

This pressure canner is guaranteed by (insert name and address), the manufacturer, to be free from defects in material and workmanship. When properly used, it will maintain a pressure of 15 pounds per square inch, if desired. The pressure relief mechanism will release steam at 25 pounds per square inch or less. The pressure indicator is accurate to within at least 15 percent. The manufacturer will, without any charge, except for transportation to and from the factory, make good any defective part or parts which shall be returned to the factory at any time before the expiration of 90 days after delivery of such pressure canner to the first purchaser who buys the canner for use.

(c) New enameled steel pressure canners which are not guaranteed by the manufacturer in accordance with paragraph (b) above may not be sold or delivered until a maximum price has been established for the manufacturer in accordance with the provisions of § 1499.158 of Maximum Price Regulation No. 188.

(d) Any canner covered by this order, the enamel of which has been damaged before the canner is sold to a user, may be sold at a price no higher than 75 percent of the maximum price established by paragraph (a) above: Provided, That the canner has no defects other than chipped enamel and is guaranteed as provided by this order.

(e) The manufacturer shall attach to each pressure canner delivered by him on or after May 28, 1943, a tag containing the following statement with the blanks properly filled in:

Manufactured by (Insert name and ed-

Retail Celling Price 8\_\_\_\_\_

(f) Every seller of a guaranteed pressure canner to a purchaser for resale shall notify each such purchaser of the maximum price set by this order for resale by him. This notice shall be given at or prior to the first invoice to such purchaser after May 28, 1943.

(g) The Far Western Zone means the

(g) The Far Western Zone means the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos, Reeves.

(h) This order may be revoked or amended by the Price Administrator at any time.

(i) Unless the context otherwise requires, the definitions contained in § 1499.20 of General Maximum Price Regulation shall apply to all terms used

herein.
This order shall become effective May 28, 1943.

Issued this 27th day of May 1943.

Gronge J. Bunke,

Acting Administrator.

[F. R. Doc. 43-8023; Filed, May 27, 1943; 4:59 p. m.]

[Order 23 Und@r LIPR 244]

Wollaston Foundry, Inc.

ADJUSTMENT OF MAXIMUM PRICES

Order 23 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket No. S0-28-249.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, It is hereby ordered:

Adjustment of maximum prices for gray iron castings sold by Wollaston Foundry Inc. (a) Wollaston Foundry Inc., 620 Holbrook Road, North Quincy, Massachusetts, may sell, offer to sell and deliver, and any person may buy, offer to buy and receive from said Company. gray iron castings at prices not in excess of said Company's applicable maximum prices under Maximum Price Regulation 244, plus ½ cent per pound: Provided, That said Company shall file with the Iron and Steel Price Branch of the Office of Price Administration, Washington, D. C., the following documents and financial information prepared in accordance with recognized accounting principles: (1) quarterly profit and loss statements, said statements to be filed within thirty days following the close of each quarter beginning with the second calendar quarter of 1943, (2) quarterly balance sheets, said balance sheets to be filed within thirty days following the close of each quarter beginning with the second calendar quarter of 1943, (3) the profit and loss statements filed pursuant to (1) of this paragraph must show (i) gross sales, (ii) returns and allowances, (iii) net sales, (iv) manufacturing costs, segregating total labor costs, exclusive of general and administrative salaries, total metal costs, and total other manufacturing costs, (v) general and administrative expenses, segregating total compansation to owners, officers and directors, (vi) net profits before income and excess profit taxes, (vii) weight of good castings produced and. weight of castings delivered, and (viii) all charges to operations representing accumulations of reserves: And provided further, That said Company need not file any of the foregoing financial data if it has filed such data or in the future does file such data on or before the time limits specified in this paragraph, on Form A-Annual Financial Report or Form B—Interim Financial Report issued by the Office of Price Administration.

(b) All prayers of the application not

granted herein are denied.

(c) This Order No. 23 may be revoked or amended by the Price Administrator at any time.

This Order No. 23 shall become effective May 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 FR. 7871)

Issued this 27th day of May 1943.

George J. Bueke, Acting Administrator.

[F. R. Doc. 43-8624; Filed, May 27, 1943; 4:59 p. m.]

[Order 24 Under LIPR 244]

THE REFINERY CASTRIGS COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order 24 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket 3244–32.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration; It is hereby ordered:

Adjustment of maximum prices for gray iron castings sold by The Refinery Castings Company. (a) On and after March 26, 1943, The Refinery Castings Company of Dallas, Texas, may sell, offer to sell and deliver, and any person may buy, offer to buy and receive from said Company gray iron castings at prices not in excess of said Company's applicable maximum prices under Maximum Price Regulation 244, plus seven percent of said maximum prices before the addition of charges, if any, for transportation: Provided, That said Company shall file with the Iron and Steel Price Branch of the Office of Price Administration, Washington, D. C., the following documents and financial information prepared in accordance with recognized accounting principles: (1) Quarterly profit and loss statements, said statements to be filed within thirty days following the. close of each quarter beginning with the second calendar quarter of 1943, (2) quarterly balance sheets, said balance sheets to be filed within thirty days following the close of each quarter beginning with the second calendar quarter of 1943, (3) the profit and loss statements filed pursuant to (1) of this paragraph must show (i) gross sales, (ii) returns and allowances, (iii) net sales, (iv) manufacturing costs, segregating total labor costs, exclusive of general and administrative salaries, total metal costs, and total other manufacturing costs, (v) general and administrative expenses, segregating total compensation to owners, officers and directors, (vi) net profits before income and excess profit taxes, (vii) weight of good castings produced and weight of castings delivered, and (viii) all charges to operations representing accumulations of reserves: And provided further, That said Company need not file any of the foregoing financial data if it has filed such data or in the future does file such data on or before the time limits specified in this paragraph, on Form A—Annual Financial Report or Form B—Interim Financial Report issued by the Office of Price Administration.

(b) The Refinery Castings Company. is further ordered (1) to reduce to the maximum prices herein ordered any prices agreed upon with any of its purchasers for the sale of the castings specified in the preceding paragraph (a) which are in excess of the maximum prices herein ordered, (2) to refund to its purchasers within thirty days from the effective date of this order any payments made which are in excess of the maximum prices specified in paragraph (a) herein, and (3) to file a statement with the Iron and Steel Price Branch of the Office of Price Administration, Washington, D. C., within forty-five days from the effective date of this order to the effect that any such prices were reduced in accordance with the terms of this order, and wherever required, refunds were made.

- (c) All prayers of the application not granted herein are denied.
- (d) This Order 24 may be revoked or amended by the Price Administrator at any time.

This Order 24 shall become effective May 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of May 1943.

George J. Burke,

Acting Administrator.

[F. R. Doc. 43-8647; Filed, May 28, 1943; 11:28 a. m.]

## WAR PRODUCTION BOARD.

|Serial No. 12-E|

MISSOURI STATE HIGHWAY PROJECT CANCELLATION OF REVOCATION ORDER

Builder, Missouri State Highway Department; Jefferson City, Missouri. Project: Construction of bridge as Federal-aid Secondary project identified as: FAS 15 D (1).

The revocation of preference rating issued on April 20, 1943, Serial No. 12-E is hereby cancelled; the preference ratings previously assigned are hereby restored; and said preference ratings shall have full force and effect.

Issued May 28, 1943.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 43-8639; Filed, May 28, 1943; 11:10 a. m.]